Burnaby File No. 187737 Decision Date: 2006-10-27

In the matter of the Residential Tenancy Act, SBC 2002, c. 78.

between

STEPHEN MARSHALL & HOTEL BOURBON, Landlord(s),

Applicant(s)

and

Tenant(s),

s.22

Respondent(s)

Re: An application pursuant to sections 55 and 67 and 38 of the *Residential Tenancy Act* regarding the rental unit at:

s.22 -50 W. CORDOVA ST., VANCOUVER, British Columbia

Date and place of hearing: October 27, 2006, Burnaby.

Appearances:

For the Landlord: Stephen Marshall

For the Tenant: no one

DECISION AND REASONS

This was an application by the landlord for an order of possession, a monetary order and an order to retain the security deposit in partial satisfaction of the claim. Based on the landlords' sworn evidence, I find that he personally served the tenant with an application for arbitration and notice of hearing on September 22nd. As the tenant has been properly served, I proceeded with the hearing in her absence.

I find that the tenant was served with a notice to end a residential tenancy for non-payment of rent on September 6th. The tenant has not paid the outstanding rent nor has filed for arbitration to have the notice set aside. Therefore, the tenant is conclusively presumed to have accepted the end of tenancy date as reflected in the notice to end tenancy. I grant the landlord an order for possession effective October 31, 2006. This order may be filed in the Supreme Court and enforced as an order of that Court.

As for the monetary claim, I find that there is outstanding rent of \$100 for August, \$400 for September, \$400 for revenue loss for October and the fee paid for this application totaling \$950. I order that the landlord retain the deposit and interest of \$200.33 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$749.67. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Dated October 27, 2006.

A. MIHAILOVIC

Burnaby File No. 187737 Decision Date: 2006-10-27

In the matter of the Residential Tenancy Act, SBC 2002, c. 78.

between

STEPHEN MARSHALL & HOTEL BOURBON, Landlord(s),

Applicant(s)

and

s.22

Tenant(s),

Respondent(s)

Re: An application pursuant to sections 55 and 67 and 38 of the *Residential Tenancy Act* regarding the rental unit at:

5.22 50 W. CORDOVA ST., VANCOUVER, British Columbia

Date and place of hearing: October 27, 2006, Burnaby.

ORDER

Having heard the evidence of the applicant and in the absence of any evidence from the respondent, who did not appear although served with the application and notice of hearing,

I DO HEREBY ORDER, pursuant to section 67 of the *Residential Tenancy Act*, that the respondent(s), s.22 pay to the applicant(s), STEPHEN MARSHALL & HOTEL BOURBON, the sum of \$749.67.

Dated October 27, 2006.

A.MIHAILOVIC

Burnaby File No. 187737 Decision Date: 2006-10-27

In the matter of the Residential Tenancy Act, SBC 2002, c. 78.

between

STEPHEN MARSHALL & HOTEL BOURBON, Landlord(s),

Applicant(s)

and

s.22

Tenant(s),

Respondent(s)

Re: An application pursuant to sections 55 and 67 and 38 of the *Residential Tenancy Act* regarding the rental unit at:

5.22 50 W. CORDOVA ST., VANCOUVER, British Columbia

Date and place of hearing: October 27, 2006, Burnaby.

ORDER

I AUTHORIZE AND COMMAND YOU, s.22 Tenant(s) to deliver full and peaceable vacant possession and occupation of the above noted rental unit to STEPHEN MARSHALL & HOTEL BOURBON, Landlord(s) not later than October 31, 2006 at 1:00pm.

Dated October 27, 2006.

A. MIHAILOVIO



Housing Department

Application for Arbitration

	FORE COMPLETING THIS FORM, PLEAS		FILE #: 1077	#RTO – 12
IP ABBITI	TRUCTIONS AND PROCESS INFORMAT DNAL SPACE IS REQUIRED TO LIST ALL PARTIES,	ION ON PAGE 2	1011	37
• IF THE FU	LL LEGAL NAME OF THE PARTY IS A BUSINESS N. (person[s] asking for arbitration): Tenant	AME,enter the full legal busine	ss name in the field box labe	eled 'last name'.
MARSHAU		STEPH		·
last name		first and middle name	(s)	
HOTEL last name	BOURBON	first and middle name	ə(s)	
Address of Applican	t(s) (current address for service of documents):		•	
unit/site	W. CORDOUA ST.	UAN COUVE	rprovir	
s.22			s.22	
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B. RESPONDEN'	T(S) (other party(s) to the arbitration): Tenant	t 🗍 Landlord		1
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unit/site	w. CORDOVA ST.	VANCOUVE	pro	vince postal code
Tyes, SCHEDUL	E OF PARTIES (#RTO-26) was used to add	l additional parties to this ap	olication and is attached.	
	authority to make decisions regarding the typ			ee page 2] and the
CODE	n you are seeking in the space provided. Atta ORDER or DECISION REQUI			nere applicable)
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YES NO	I am requesting that the arbitrator order rec	*********	the Respondent	
I, the Applicant or Ag	gent for the Applicant(s), apply to the Discipute. (signature required to commence arbitra	rector, Residential Tena	ADDRESS OF THE PERSON OF THE P	Office Use Only - Date Stamp TAL YERANCY BRANCH REMINEY, S.C.
SIGNATURE:	Mohlle	DATE: 19 9 4	⊘6 (day/month/year∫ [-]	HOU-2014-40631
#04018-12 (11/2005)				Page 5
				ECLIVED

HOW TO COMPLETE THIS FORM ELECTRONICALLY: If you are accessing this application form from the B.C. Government Web site, it can be printed and completed by hand (print clearly, using dark ink) or filled out while at the computer workstation—simply type your responses in the boxes. If you cannot complete all the sections at the computer right away, you can print off what you have completed and fill in the remaining fields by hand. Note, you cannot save the completed form to your computer, therefore, after you complete the form, make sure you review the form for accuracy and print the number of copies you require before you leave the document or shut down the program/computer.

IMPORTANT INFORMATION ... PLEASE READ:

This form is used to request arbitration in a dispute by either the landlord or the tenant. The information is collected under the Residential Tenancy Act (RTA) and the Manufactured Home Park Tenancy Act (MHPTA). Information collected on this form may be disclosed to the public in accordance with the Freedom of Information and Protection of Privacy Act. For further information on the collection, use and disclosure of this information, or for assistance with your application, contact the Residential Tenancy Office nearest you.

THIS APPLICATION MAY NOT BE ACCEPTED IF THE APPLICANT HAS FEES OUTSTANDING WITH THE RESIDENTIAL TENANCY OFFICE.

PROCESS and NOTICE (it is the responsibility of the Applicant to notify the Respondent):

 You may complete this application on your own or seek the assistance of an agent or advocate. (See RTO Fact Sheet, "How to Fill in an Application for Arbitration" – #RTO-122). A Residential Tenancy Office Information Officer will review the application to ensure it is complete. The completed Application for Arbitration must be filed, in person, at one of the following Residential Tenancy Offices:

BURNABY: 400 - 5021 Kingsway Avenue

VICTORIA: 1st Floor, 1019 Wharf Street

INTERIOR AND NORTH: 101 - 2141 Springfield Road, Kelowna.

NOTE: If there is no Residential Tenancy Office in your area, you can file your application at any Government Agents Office BC Access Centre (To locate a Government Agents Office near you, call Enquiry BC 1 800 663-7867)

- Once the application is completed, it must be processed by the Residential Tenancy Office (RTO) or Government Agent. The fee to file this application, as established under the RTA and the MHPTA, must be paid at the time of application, and may be paid in cash, debit card, or by cheque (identification is required, cheque must have current address encoded). An administration fee will be charged for returned cheques. Make cheque payable to the Minister of Finance.
- 3. Do not give the Respondent(s) a copy until your application has been processed by the Residential Tenancy Office.
- 4. The Applicant will be given an Arbitration Hearing Package prepared by the RTO for each named Respondent. The Applicant must serve the Arbitration Hearing Package to each Respondent named on the application within 3 days of the application being processed by the RTO.

CODE: APPLICATION FOR ...

AN	AMEND FORM OF NOTICE - Correction to notice given or determination that adequate notice given,
AS	ASSIGN AND/OR SUBLET - An order that a tenant may assign or sublet a tenancy agreement, where it is determined that consent has been unreasonably withheld.
CM	COMPENSATION FOR MOVE - An order regarding the provision of compensation for moving costs.
ER	EMERGENCY REPAIR - An order regarding the reimbursement of costs for emergency repairs.
ET	EARLY END OF TENANCY - An order for the early end of tenancy and an order of possession for a landlord.
LA .	LOCKS AND ACCESS - An order permitting or prohibiting the change of locks or other means of access to the rental unit, residential property, manufactured home park, or common areas of the residential property or manufactured home park by a landlord or tenant; an order regarding the change of locks at the beginning of a tenancy; an order setting conditions regarding or suspending the landlord's entry into the rental unit or to a manufactured home site; or an order prohibiting the landlord from restricting access to the residential property or manufactured home park by the tenant, the tenant's guests, or a candidate seeking election to office, or by his or her authorized representative.
MN	MONETARY - An order for a landlord or tenant to pay an amount in satisfaction of a claim for debt or damages against the other in respect of a right or obligation under the RTA or the MHPTA or a tenancy agreement.
NC	NOTICE TO END FOR CAUSE - An order setting aside a notice to end a tenancy given for cause, and/or in exceptional circumstances, extending the time in which the application for such an order may be made.
NE	NOTICE TO END FOR END OF EMPLOYMENT - An order setting aside a notice to end a tenancy given for end of employment and/or in exceptional circumstances, extending the time in which the application for such an order may be made.
NL	NOTICE TO END FOR LANDLORD'S USE OF PROPERTY - An order setting aside a notice to end a tenancy given for landlord's use of property and/or in exceptional circumstances, extending the time in which the application for such an order may be made.
NR	NOTICE TO END FOR NON-PAYMENT OF RENT - An order setting aside a notice to end tenancy given for non-payment of rent and/or in exceptional circumstances extending the time in which an application for such an order may be made.
oc .	ORDER TO COMPLY WITH AGREEMENT OR ACT - An order that a landlord or tenant comply with the RTA/MHPTA or a tenancy agreement, or an order that the RTA/MHPTA applies.
OP	ORDER FOR POSSESSION - An order of possession for a landlord or tenant.
PD	PET DEPOSIT - An order that a landlord retain or return some or all of the pet deposit plus interest.
PR	PROPERTY RETURN - An order for the return of personal property seized or received by the landlord contrary to the RTA/MHPTA or a tenancy agreement (unless the seizure is made under an order of the court or the authority of an enactment).
RI	RENT INCREASE - Landlord application for a rent increase - Tenant dispute of an invalid rent increase.
RP	REPAIR - An order regarding the decoration and repair of the residential premises, or the provision of a service or facility as required by law; or the payment of rent to be held in trust to cover the needed repair, or an order authorizing the tenant to deduct up to one month's rent for the cost of a repair, service, or facility.
RR	RENT REDUCTION - An order for a reduction in rent if the landlord fails to comply with a repair order.
SD	SECURITY DEPOSIT - An order that a landlord retain or return some or all of a security deposit plus interest.
SF	SERVICE OR FACILITY - An order that the charge for a service or facility or the value of a service or facility or its reduction in value is a rent increase.
SS	SUBSTITUTED SERVICE - An order for substituted service of any document required under the RTA/MHPTA.

Burnaby File No. 187736 Decision Date: 2006-10-27

In the matter of the Residential Tenancy Act, SBC 2002, c. 78.

between

STEPHEN MARSHALL & HOTEL BOURBON, Landlord(s),

Applicant(s)

and

s.22

Tenant(s),

Respondent(s)

Re: An application pursuant to sections 55 and 67 of the *Residential Tenancy Act* regarding the rental unit at:

50 W. CORDOVA ST, VANCOUVER, British Columbia

Date and place of hearing: October 27, 2006, Burnaby.

Appearances:

For the Landlord: Stephen Marshall

For the Tenant s.22

DECISION AND REASONS

This was an application by the landlord for an order of possession and a monetary order. Based on the landlords' sworn evidence, I find that the tenants were served with an application for arbitration and notice of hearing on September 21st.

The tenants testified that they tried to void the notice within the five days however the landlord would not accept the money. The tenants further testified that they tried to pay the outstanding September rent with a cheque from^{s.22} work and that the landlord would not accept it. The landlord testified that it is not their practice to accept third party cheques and that he told the tenants to go to the bank and get cash. I find that the tenants have not voided the notice to end tenancy issued on September 6th.

I find that the tenants were served with a notice to end a residential tenancy for non-

payment of rent on September 6th. The tenants have not paid the outstanding rent nor has filed for arbitration to have the notice set aside. Therefore, the tenants are conclusively presumed to have accepted the end of tenancy date as reflected in the notice to end tenancy. I grant the landlord an order for possession effective October 31, 2006 at 1:00pm. This order may be filed in the Supreme Court and enforced as an order of that Court.

As for the monetary claim, I find that there is outstanding rent of \$225 for September, \$525 for October and the fee paid for this application totaling \$800. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Dated October 27, 2006.

A-MIHAIL Arbitrator

Burnaby File No. 187736 Decision Date: 2006-10-27

In the matter of the Residential Tenancy Act, SBC 2002, c. 78.

between

STEPHEN MARSHALL & HOTEL BOURBON, Landlord(s),

Applicant(s)

and

s.22

Tenant(s),

Respondent(s)

Re: An application pursuant to sections 55 and 67 of the *Residential Tenancy Act* regarding the rental unit at:

50 W. CORDOVA ST, VANCOUVER, British Columbia

Date and place of hearing: October 27, 2006, Burnaby.

ORDER

I AUTHORIZE AND COMMAND YOU^{s.22}

Tenant(s) to deliver full and peaceable vacant possession and occupation of the above noted rental unit to **STEPHEN MARSHALL & HOTEL BOURBON**, Landlord(s) not later than **October 31, 2006 at 1:00pm**.

Dated October 27, 2006.

A. MIHAILOVIC

Burnaby File No. 187736 Decision Date: 2006-10-27

In the matter of the Residential Tenancy Act, SBC 2002, c. 78.

between

STEPHEN MARSHALL & HOTEL BOURBON, Landlord(s),

Applicant(s)

and

s.22 Tenant(s),

Respondent(s)

Re: An application pursuant to sections 55 and 67 of the *Residential Tenancy Act* regarding the rental unit at:

5.22 -50 W. CORDOVA ST, VANCOUVER, British Columbia

Date and place of hearing: October 27, 2006, Burnaby.

ORDER

I DO HEREBY ORDER, pursuant to section 67 of the Residential Tenancy Act, that the respondent(s), s.22 pay to the applicant(s),

STEPHEN MARSHALL & HOTEL BOURBON, the sum of \$800.00.

Dated October 27, 2006.

A. MHAILOVIC



Housing Department

Application for Arbitration

IMPORTANT: BEF	ORE COMPLETING TH			FILE #: 18-	#RTO-12
NOTES: IF ADDITION	AL SPACE IS REQUIRED TO	LIST ALL PARTIES, com	olete and attach Schedule	of Parties (#RTO-26)	
A. APPLICANT(S)	LEGAL NAME OF THE PAR (nerson(s) asking for arbitration	TANANA TA IN TO THE STATE OF TH	100 mm	ss name in the field b	oox labeled 'last name'.
	(portioning to the distribution	10.1011 2 Le			
last name			5 TGPHEN first and middle name	(s)	
140-01	Concen	.)			
IHOTEL last name	BOURBON		first and middle name	o(s)	
Address of Applicant(S) (current address for service	of documents):		1	
unit/site 50	W, COKBOVA street address	57.	VANCOUVER		B.C V6B1C9 province postal code
604 687-5	427	2.00		604 4	108-9595
daytime phone number		other phone number	*************	fax num	ber for service
B. RESPONDENT	(S) (other party(s) to the erb.	itration): Tenant] Landlord		
s.22			1		
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DISPUTE ADDRESS	∄ Reside	ntial Tenancy Act (F	RTA) 🗍 Manufactu	red Home Park	Tenancy Act (MHPTA)
s.22 50	W. CORDOV	A ST.	VANCOUVE	٠٨	B.C. V6B1C9
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I, the Applicant or Age for arbitration of this of	nt for the Applicant(s)	, apply to the Direct d to commence arbitration)	or, Residential Tenai	ncy Office,	SEP 1 9 2006
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PROCESS and NOTICE (it is the responsibility of the Applicant to notify the Respondent):

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- 4. The Applicant will be given an Arbitration Hearing Package prepared by the RTO for each named Respondent. The Applicant must serve the Arbitration Hearing Package to each Respondent named on the application within 3 days of the application being processed by the RTO.

CODE	APPL	ICATION	FOR.
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AMEND FORM OF NOTICE - Correction to notice given or determination that adequate notice given. ASSIGN AND/OR SUBLET - An order that a tenant may assign or sublet a tenancy agreement, where it is determined that consent COMPENSATION FOR MOVE - An order regarding the provision of compensation for moving costs. EMERGENCY REPAIR - An order regarding the reimbursement of costs for emergency repairs. EARLY END OF TENANCY - An order for the early end of tenancy and an order of possession for a landlord. LOCKS AND ACCESS - An order permitting or prohibiting the change of locks or other means of access to the rental unit, residentic park, or common areas of the residential property or manufactured home park by a landlord or tenant; an order regarding the change tenancy; an order setting access to the residential property or manufactured home park by the tenant or to a manufactured home site lord from restricting access to the residential property or manufactured home park by the tenant, the tenant's guests, or a candidate his or her authorized representative. MN MONETARY - An order for a landlord or tenant to pay an amount in satisfaction of a claim for debt or damages against the other in under the RTA or the MHPTA or a tenancy agreement. NC NOTICE TO END FOR CAUSE - An order setting aside a notice to end a tenancy given for cause, and/or in exceptional circumstant the application for such an order may be made. NOTICE TO END FOR END OF EMPLOYMENT - An order setting aside a notice to end a tenancy given for end of employment an extending the time in which the application for such an order may be made.	
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NL NOTICE TO END FOR LANDLORD'S USE OF PROPERTY - An order setting aside a notice to end a tenancy given for landlord's u tional circumstances, extending the time in which the application for such an order may be made.	use of property and/or in excep-
NR NOTICE TO END FOR NON-PAYMENT OF RENT - An order setting aside a notice to end tenancy given for non-payment of rent at extending the time in which an application for such an order may be made.	nd/or in exceptional circumstances
OC ORDER TO COMPLY WITH AGREEMENT OR ACT - An order that a landlord or tenant comply with the RTA/MHPTA or a tenancy a RTA/MHPTA applies.	agreement, or an order that the
OP ORDER FOR POSSESSION - An order of possession for a landlord or tenant.	•
PD PET DEPOSIT - An order that a landlord retain or return some or all of the pet deposit plus interest.	
PR PROPERTY RETURN - An order for the return of personal property seized or received by the landlord contrary to the RTA/MHPTA the seizure is made under an order of the court or the authority of an enactment).	or a tenancy agreement (unless
RI RENT INCREASE - Landlord application for a rent increase - Tenant dispute of an invalid rent increase.	,
RP REPAIR - An order regarding the decoration and repair of the residential premises, or the provision of a service or facility as require be held in trust to cover the needed repair, or an order authorizing the tenant to deduct up to one month's rent for the cost of a repair.	
RR RENT REDUCTION - An order for a reduction in rent if the landlord fails to comply with a repair order.	
SD SECURITY DEPOSIT - An order that a landlord retain or return some or all of a security deposit plus interest.	•
SF SERVICE OR FACILITY - An order that the charge for a service or facility or the value of a service or facility or its reduction in value	e Is a rent increase.
SS SUBSTITUTED SERVICE - An order for substituted service of any document required under the RTA/MHPTA.	



Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

File No: 730143

In the matter of the Residential Tenancy Act, SBC 2002,c.78., as amended

between	ine	Bourbon/Hildon Hotel (Landiord)	Applicant(s)
And	s.22	(Tenant)	Respondent(s)
Regarding	a renta	l unit at: s.22 - 50 West Cordova St	reet, Vancouver, BC
Date of He	earing:	February 25, 2009, by conference	call
		ORDER	
I DO HERE	EBY OR	RDER, pursuant to section 67 of the	Residential Tenancy Act, that the
responden	t(s), s.22	pay to the applicant(s), The Bourbon/Hildon Hotel,
the sum of	\$2245.	47.	
February 2	2009	J.L. Kernaghan Dispute Resolutio	on Officer



Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

File No: 730143

In the matter of the Residential Tenancy Act, SBC 2002,c.78., as amended

Between	The Bour	bon/Hildon Hotel (Landlord)	Applicant(s)
And	s.22	(Tenant)	Respondent(s)

Regarding a rental unit at: s.22 - 50 West Cordova Street, Vancouver, BC

Date of Hearing: February 25, 2009, by conference call

ORDER

Peaceable vacant possession and occupation of the above noted rental unit to **The**Bourbon/Hildon Hotel, Landlord(s) not later than **two (2) days** after service of this order upon you.

I FURTHER ORDER, pursuant to section 72 that the tenant pay to the landlord the sum of \$50.00 representing the fee paid under section 59.

February 25, 2009

J.Ľ. Kernághan



Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

File No: 730143

In the matter of the Residential Tenancy Act, SBC 2002,c.78., as amended

Between

The Bourbon/Hildon Hotel (Landlord)

Applicant(s)

And

s.22

(Tenant)

Respondent(s)

Regarding a rental unit at: s.22 - 50 West Cordova Street, Vancouver, BC

Date of Hearing:

February 25, 2009, by conference call

Date of Decision:

February 25, 2009

Attending:

For the Landlord:

Paul Roberts, General Manager

Glenn Miller, Resident Manager

For the Tenant:

No one



Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

Decision

Dispute Codes: OPR, MNR, MNSD, FF

This hearing dealt with an application by the landlord for an order of possession, a monetary order and an order allowing retention of the security deposit in partial satisfaction of the claim. Although served with the Application for Dispute Resolution and Notice of Hearing by personal service the tenant did not appear.

Based on the testimony of the resident manager I find that the tenant was served with a Notice to End Tenancy for Non-payment of rent and did not file an application to dispute the Notice and is therefore conclusively presumed to have accepted that the tenancy ended on the effective date of the Notice. Based on the above facts I find that the landlord is entitled to an order of possession effective two days after service on the tenant. This order may be filed in the Supreme Court and enforced as an order of that Court.

I find that the landlord has established a total monetary claim of \$2450.00 comprised of arrears of rent in the amount of \$2400.00 and the \$50.00 fee paid by the landlord for this application. I order that the landlord retain the deposit and interest of \$204.53 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$2245.47. This order may be filed in the Small Claims Court and enforced as an order of that Court.

February 25, 2009

J.L. Kernaghan

ı	For RTB use only: File #_ 730143 ·
This application is being made under the Manufacture	
This application is being made under the <i>Residential</i> 7	·
Landlord(s) (Applicant(s): The person asking for If additional space is required to list all parties, use and a	
THE FOREST HILDON HOTER	
Last name or the full legal business name	First and middle names
Last name (if more than one landlord, also use form #RTB-26)	First and middle names
Applicant Address (address for service of documents or r	otices – where material will be given personally, left for, faxed, or mailed)
107_ 50 W. Coasa A 5T	LANCOURTE BC 1/65/109
Unit/site # Street # and street name	City Province Postal Code
604 687 5407	601 400 9595
Daytime phone number Other phone i	number Fax number for document service
	add more Applicants to this application and it is attached.
Yes, the Mailing Address is different from the Applica	int Address, and it is attached.
Dispute Address (address of the rental unit or n	nanufactured home site)
S.22	1/
Unit/site # Street # and street name	City Province Postal Code
Tenant(s) (Respondent(s): The other party to the d	
If additional space is required to list all parties, use and a s.22	tach "Schedule of Parties", form #RIB-26.
Last Hattic	First and iniquie names
Last name	First and middle names
Respondent Address (address for service of documents s.22	or notices – where material will be given personally, left for, faxed, or mail
Unit/site # Street # and street name C s.22	City Province Postal Code s.22
Daytime phone number Other phone r	
Yes, a Schedule of Parties (#R1B-26) is being used to Yes, the Mailing Address is different from the Respon	add more Respondents to this application and it is attached.
res, the realing real east is unlested from the respon	desic / add ess) and it is detactived.
TO FILE THIS APPLICATION: 1. On this page, fill in the information boxes.	RESIDENTIAL TENANCY BRANCH
 On this page, in it the information boxes. On page 2, check the boxes that apply to your request, provide 	e details and sign at the bottom.
3. Submit your application in-person at:	JAN 1.5 2008
	lowna: 101–2141 Springfield Fload rvice BC-Government Agents Office
• Applications may also be submitted online at www.rto.gov.bc.	ca. RECEIVED 28
 Do not give a copy of your Application to the Respondent(s) until the it and you have paid the application fee or obtained a fee waiver. 	ne Residential Tenancy Branch accepts RTB use only - date stamp & initial
it all a your hard paid are approached the or obtained a rec waiver.	MILES STATE OF THE

Office of Housing and Construction Standards

Residential Tenancy Branch

Lower Mainland: 604-660-1020 Victoria: 250-387-1602 Elsewhere in BC: 1-800-665-8779

Website: www.rto.gov.bc.ca



For RTB use only:	File #	730143	

Nature of the Dispute

s.22

Ending tenancy, and seeking an Order of Possession:
Notice to End Tenancy
When the dispute involves a <i>Notice to End Tenancy</i> , the <i>Notice to End Tenancy</i> must be given to the tenant before applying for Dispute Resolution and the <i>Notice to End Tenancy</i> must be submitted to the Residential Tenancy Branch.
Date the Notice to End Tenancy referred to in this Application was served:
How was it served? By Hand
Reason for ending tenancy:
Employment with landlord has ended
For damage to the unit, site or property
Details of the Dispute
In two or three sentences, describe the issue. Include any dates, times, people or other information that says who, what, where and when the issue arose or the event occurred. When you are asking for a Monetary Order, include a detailed calculation. Attach a separate sheet if necessary. Any additional sheets must be signed.
HAD NOT FAID TOENT AND OB, SENETUAL EVICTION MOTICES HAVE BEEN BENED AND GNOTTED.
Signature: Date: Taw 14/09 Print name: Ravi Rosers



Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

File No: 730142

In the matter of the Residential Tenancy Act, SBC 2002,c.78., as amended

Between The Bourbon/Hildon Hotel (Landlord)

Applicant(s)

And

s.22 (Tenant)

Respondent(s)

Regarding a rental unit at: 50 West Cordova Street, Vancouver, BC

Date of Hearing:

February 25, 2009, by conference call

Date of Decision:

February 25, 2009

Attending:

For the Landlord:

Paul Roberts, General Manager

Glenn Miller, Resident Manager

For the Tenant:

No one



Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

Decision

Dispute Codes: OPR, MNR, FF

This hearing dealt with an application by the landlord for an order of possession and a monetary order. Although served with the Application for Dispute Resolution and Notice of Hearing by personal service the tenant did not appear.

Based on the testimony of the resident manager I find that the tenant was served with a Notice to End Tenancy for Non-payment of rent and did not file an application to dispute the Notice and is therefore conclusively presumed to have accepted that the tenancy ended on the effective date of the Notice. Based on the above facts I find that the landlord is entitled to an order of possession effective two days after service on the tenant. This order may be filed in the Supreme Court and enforced as an order of that Court.

I find that the landlord has established a total monetary claim of \$3350.00 comprised of arrears of rent in the amount of \$3300.00 and the \$50.00 fee paid by the landlord for this application. This order may be filed in the Small Claims Court and enforced as an order of that Court.

February 25, 2009

J.L. Kernaghan



Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

File No: 730142

In the matter of the Residential Tenancy Act, SBC 2002,c.78., as amended

Between	The Bo	ourbon/Hildon Hotel (Landlord)	Applicant(s)
And	s.22	(Tenant)	Respondent(s)

Regarding a rental unit at: s.22 - 50 West Cordova Street, Vancouver, BC

Date of Hearing: February 25, 2009, by conference call

<u>ORDER</u>

I DO HEREBY ORDER, pursuant to section 67 of the *Residential Tenancy Act*, that the respondent(s)^{s.22} pay to the applicant(s), **The Bourbon/Hildon Hotel**, the sum of \$3350.00.

February 25, 2009



Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

File No: 730142

In the matter of the Residential Tenancy Act, SBC 2002,c.78., as amended

between	The Bourbon/Hildon Hotel (Landiord)	Applicant(s)
	s.22	

And

(Tenant)

Respondent(s)

Regarding a rental unit at: s.22 - 50 West Cordova Street, Vancouver, BC

Date of Hearing:

February 25, 2009, by conference call

ORDER

I AUTHORIZE AND COMMAND YOU, ^{s.22} Tenant(s) to deliver full and peaceable vacant possession and occupation of the above noted rental unit to **The Bourbon/Hildon Hotel**, Landlord(s) not later than **two (2) days** after service of this order upon you.

I FURTHER ORDER, pursuant to section 72 that the tenant pay to the landlord the sum of \$50.00 representing the fee paid under section 59.

February 25, 2009

J.L. Kernaghan

		For RT	B use only: F	ile #	30142	*
This application is being	made under the Manuf				ŧ	
This application is being	made under the Reside	ential Tenancy	/ Act			
Landlord(s) (Applica If additional space is require		alanda ar araba a sa alaman ar ba maraba a a		les" form	#DTR-26	
	1.1	and accaci	Schedule of Fall	ics , luiin-	# N I D - 20.	
Last name or the full legal b	HILLOW HOTE	EC	First and midd	lle names		
Last hame of the ran legal t	donicos nunc		Thise and miles	iic names		
Last name (if more than one la	ndlord, also use form #RTB:	-26)	First and midd	le names		
Applicant Address (ad	•	-			sonally, left for, f	axed. or mailed)
102 50	W. Cotoop		Partet_		Re	V67 110
	and street name	City	Meciel		Province	Postal Code
604 1927 5477	_			CALI	400 920	96
Daytime phone number		hone number		Fax num	ber for docum	ent service
Yes, a Schedule of Partie	s (#RTB-26) is being us	sed to add mo	ore Applicants to	this applic	ation and it is	attached.
Yes, the Mailing Addres	s is different from the A	Applicant Add	ress, and it is at	tached.		
Dispute Address (address of the rental irr	it or manufa	ctured home site			
s.22	address of the rental un	1/		9	20	
50 (and street name		NEXETT		BC	1065109
Unit/site # Street #	and street name	City			Province	Postal Code
Tenant(s) (Responder If additional space is require s.22				es", form	#RTB-26.	
manufaction (1)						
Last name	Mart Valentia Martin and the second		First and middle	names		
Respondent Address	(address for service of docu	ıments or notic	s – where material	will be given	personally, left f	or, faxed, or mai
s.22						
Unit/site # Street # ar	nd street name	Cîty			Province	Postal Code
Daytime phone number	Other pl	hone number		Fax num	ber for docume	ent service
Yes, a Schedule of Partie					olication and it	is attached.
Yes, the Mailing Addres	s is different from the R	Respondent A	ddress, and it is	attached.		
TO FILE THIS APPLICAT	ION:			<u>.</u>		
 On this page, fill in the inform On page 2, check the boxes to 		nrovido dotaile	and cian at the he	ttom R	ESIDENTIAL TENAN	
 On page 2, check the boxes to Submit your application in-pe 	rson at:	•	_		Burnaby,	B,C,
• RTB Burnaby: 400 – 5021	Kingsway Avenue • I		101-2141 Springf		JAN 15	2008
 RTB Victoria: 1st floor, 1019 Applications may also be submit 			G-Government Age	ins Office	gang gama Ang j≃0 5 ±	4 km 57
 Do not give a copy of your Appl 	ication to the Respondent(s)	until the Reside	ential Tenancy Bran	ch accept	RTB USE Only	date stamp &
it and you have paid the applica	tion fee or obtained a fee wa	aiver.		4	initial	

Office of Housing and Construction Standards

Residential Tenancy Branch

Lower Mainland: 604-660-1020 Victoria: 250-387-1602 Elsewhere in BC: 1-800-665-8779

Website: www.rto.gov.bc.ca



For RTB use only: File #_730142.

Nature of the Dispute

s.22

Ending tenancy, and seeking an Order of Possession:
Notice to End Tenancy
When the dispute involves a <i>Notice to End Tenancy</i> , the <i>Notice to End Tenancy</i> must be given to the tenant before applying for Dispute Resolution and the <i>Notice to End Tenancy</i> must be submitted to the Residential Tenancy Branch.
Date the Notice to End Tenancy referred to in this Application was served:
How was it served? Ry HA,J
Reason for ending tenancy:
Employment with landlord has ended
Monetary Order:
For damage to the unit, site or property
Other Recover filing fee from the tenant for the cost of this application
Details of the Dispute
In two or three sentences, describe the issue. Include any dates, times, people or other information that says who, what, where and when the issue arose or the event occurred. When you are asking for a Monetary Order, include a detailed calculation. Attach a separate sheet if necessary. Any additional sheets must be signed.
HAS TOETUSED EO PAY RENT SAVE AUG 08.
Signature: Jan 14/09
Signature: Date: $\Delta \sim 14/09$
Print name: Pau Roberts



Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

File No: 730141

In the matter of the Residential Tenancy Act, SBC 2002,c.78., as amended

Between	The E	Sourbon/Hildon Hotel (Landlord)	Applicant(s)
And	s.22	(Tenant)	Respondent(s)

Regarding a rental unit at: *50 West Cordova Street, Vancouver, BC

Date of Hearing: February 25, 2009, by conference call

ORDER

I DO HEREBY ORDER, pursuant to section 67 of the *Residential Tenancy Act*, that the respondent(s), s.22 pay to the applicant(s), **The Bourbon/Hildon Hotel**, the sum of \$2809.31.

February 25, 2009

J.L. Kerrfaghan
Dispute Resolution Officer



Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

File No: 730141

In the matter of the Residential Tenancy Act, SBC 2002,c.78., as amended

Between	The Bou	bon/Hildon Hotel (Landlord)	Applicant(s)
And	s.22	(Tenant)	Respondent(s)

Regarding a rental unit at: 50 West Cordova Street, Vancouver, BC

Date of Hearing: February 25, 2009, by conference call

ORDER

I AUTHORIZE AND COMMAND YOU, s.22 Tenant(s) to deliver full and peaceable vacant possession and occupation of the above noted rental unit to The Bourbon/Hildon Hotel, Landlord(s) not later than two (2) days after service of this order upon you.

I FURTHER ORDER, pursuant to section 72 that the tenant pay to the landlord the sum of \$50.00 representing the fee paid under section 59.

February 25, 2009

J.L. Kernaghan



Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

File No: 730141

In the matter of the Residential Tenancy Act, SBC 2002,c.78., as amended

Between

The Bourbon/Hildon Hotel (Landlord)

Applicant(s)

And

s.22

(Tenant)

Respondent(s)

Regarding a rental unit at: s.22 - 50 West Cordova Street, Vancouver, BC

Date of Hearing:

February 25, 2009, by conference call

Date of Decision:

February 25, 2009

Attending:

For the Landlord:

Paul Roberts, General Manager

Glenn Miller, Resident Manager

For the Tenant:

No one



Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

Decision

Dispute Codes: OPR, MNR, MNSD, FF

This hearing dealt with an application by the landlord for an order of possession, a monetary order and an order allowing retention of the security deposit in partial satisfaction of the claim. Although served with the Application for Dispute Resolution and Notice of Hearing by personal service the tenant did not appear.

Based on the testimony of the resident manager I find that the tenant was served with a Notice to End Tenancy for Non-payment of rent and did not file an application to dispute the Notice and is therefore conclusively presumed to have accepted that the tenancy ended on the effective date of the Notice. Based on the above facts I find that the landlord is entitled to an order of possession effective two days after service on the tenant. This order may be filed in the Supreme Court and enforced as an order of that Court.

I find that the landlord has established a total monetary claim of \$3025.00 comprised of arrears of rent in the amount of \$2975.00 and the \$50.00 fee paid by the landlord for this application. I order that the landlord retain the deposit and interest of \$215.69 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$2809.31. This order may be filed in the Small Claims Court and enforced as an order of that Court.

February 25, 2009

J.L. Kernaghan

	For RTB use only: f	File #	-
This application is being made under the Manufacture	ed Home Park Tenancy A	4 <i>ct</i>	
This application is being made under the Residential	Tenancy Act		
Landlord(s) (Applicant(s): The person asking for If additional space is required to list all parties, use and		ies", form #RTB-26.	
THE BOOTERON/HILLDON HOTTEL			
Last name or the full legal business name	First and mide	lle names	
Last name (if more than one landlord, also use form #RTB-26)	First and midd	lle names	***************************************
Applicant Address (address for service of documents or	notices -, where material will	be given personally, left for,	faxed, or mailed)
102 . 50 W. Cottage 31	MANCONET	BC	V6B1C9
Unit/site # Street # and street name	City	Province	Postal Code
604 687 5427		604 408 9	595
Daytime phone number Other phone		Fax number for docum	
Yes, a Schedule of Parties (#RTB-26) is being used to Yes, the Mailing Address is different from the Applic			attached.
res, the Maning Address is different from the Applie	ant Address, and it is di	ederious	
Dispute Address (address of the rental unit or	manufactured home site		
5.22 SO W. COTOSOUP ST	Uproper	_Z BC	V60 109
Unit/site # Street # and street name	City	Province	Postal Code
Tenant(s) (Respondent(s): The other party to the	disnute)		
If additional space is required to list all parties, use and		ies", form #RTB-26.	
s.22			
Last name	First and middle	e names	
Last name	First and middle	e names	
Respondent Address (address for service of documents	s or notices – where materia	will be given personally, left t	for, faxed, or mail
s.22			
	City	Province	Postal Code
s.22		s.22	
Daytime phone number Other phone	number	Fax number for docum	ent service
Yes, a Schedule of Parties (#RTB-26) is being used to			is attached.
Yes, the Mailing Address is different from the Respo	ndent Address, and it is	attached.	
TO FILE THIS APPLICATION:			
 On this page, fill in the information boxes. On page 2, check the boxes that apply to your request, provide 	le details and sign at the bo	RESIDENTIAL TENANCY E	RANCH
3. Submit your application in-person at:	_	=97.114AB1, B.C.	
	elowna: 101–2141 Springf ervice BC-Government Age		
 Applications may also be submitted online at www.rto.gov.bc 	· ca	1 _	
 Do not give a copy of your Application to the Respondent(s) until tit and you have paid the application fee or obtained a fee waiver. 	he Residential Tenancy Brar		date stamp &
it and you have paid the application ree of obtained a ree Walver.		initial	

Office of Housing and Construction Standards

Residential Tenancy Branch

Lower Mainland: 604-660-1020 Victoria: 250-387-1602 Elsewhere in BC: 1-800-665-8779

Website: www.rto.gov.bc.ca



For RTB use only: File # 73014 \ .

Nature of the Dispute

s.22

Ending tenancy, and seeking an Order of Possession:
Notice to End Tenancy
When the dispute involves a <i>Notice to End Tenancy</i> , the <i>Notice to End Tenancy</i> must be given to the tenant before applying for Dispute Resolution and the <i>Notice to End Tenancy</i> must be submitted to the Residential Tenancy Branch.
Date the Notice to End Tenancy referred to in this Application was served: Tan OG /O1
How was it served? By Haw
Reason for ending tenancy
Employment with landlord has ended
Monetary Order: For damage to the unit, site or property
Other Recover filing fee from the tenant for the cost of this application
Details of the Dispute
In two or three sentences, describe the issue. Include any dates, times, people or other information that says who, what, where and when the issue arose or the event occurred. When you are asking for a Monetary Order, include a detailed calculation. Attach a separate sheet if necessary. Any additional sheets must be signed.
HAS NOT FAID TRENT SINCE ANGUST OB. HAS BEEN ISSUED SEVERAL NOTICES AND IGNORES EACH ONE I
Signature: Date: Tau 14/09 Print name: Ru Roccios



Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

File No: 730140

In the matter of the Residential Tenancy Act, SBC 2002,c.78., as amended

		Applicant(s)
s.22 And	(Tenant)	Respondent(s)

Regarding a rental unit at: \$50 West Cordova Street, Vancouver, BC

Date of Hearing: Fe

February 24, 2009, by conference call

<u>ORDER</u>

I DO HEREBY ORDER, pursuant to section 67 of the *Residential Tenancy Act*, that the respondent(s), s.22 pay to the applicant(s), The Bourbon/Hildon Hotel, the sum of \$912.00.

February 24, 2009

J.L. Kernaghan
Dispute Resolution Officer



Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

File No: 730140

In the matter of the Residential Tenancy Act, SBC 2002,c.78., as amended

Between	The Bourbon/Hildon Hotel (Landlord)		Applicant(s)	
And	s.22	(Tenant)	Respondent(s)	

Regarding a rental unit at: s.22 - 50 West Cordova Street, Vancouver, BC

Date of Hearing:

February 24, 2009, by conference call

ORDER

Peaceable vacant possession and occupation of the above noted rental unit to The Bourbon/Hildon Hotel , Landlord(s) not later than February 28, 2009.

I FURTHER ORDER, pursuant to section 72 that the tenant(s) pay to the landlord the sum of \$50.00 representing the fee paid under section 59.

February 24, 2009

J.L. Kernaghan



Residential Tenancy Branch Office of Housing and Construction Standards Ministry of Housing and Social Development

File No: 730140

In the matter of the Residential Tenancy Act, SBC 2002,c.78., as amended

Between

The Bourbon/Hildon Hotel (Landlord)

Applicant(s)

And

s.22

(Tenant)

Respondent(s)

Regarding a rental unit at: 5.22 - 50 West Cordova Street, Vancouver, BC

Date of Hearing:

February 24, 2009, by conference call

Date of Decision:

February 24, 2009

Attending:

For the Landlord:

Paul Roberts, General Manager

For the Tenant:

s.22

	For	RTB use only: File #_	730140
This application is being made	e under the <i>Manufactured H</i>	ome Park Tenancy Act	
This application is being made	e under the <i>Residential Tena</i>	ancy Act	
Landlord(s) (Applicant(s):			
If additional space is required to	ist all parties, use and attac	ch "Schedule of Parties", for	m #RTB-26.
THE SOUTEROW/			
Last name or the full legal busine	ss name	First and middle name	2S
Last name (if more than one landlord,	•	First and middle name	
Applicant Address (address	or service of documents or notice	es – where material will be given	
102 50 W.	COTLDOUR ST /	MONOCUER	SC V615/109
Unit/site # Street # and s	street name <u>Či</u>	ity	Province Postal Code
604 687 5427		604	408 9595
Daytime phone number	Other phone num		umber for document service
Yes, a Schedule of Parties (#R		• •	plication and it is attached.
Yes, the Mailing Address is d	ifferent from the Applicant	Address, and it is attached.	
Dispute Address (addre	ss of the rental unit or man	ufactured home site)	
s.22			BC 11/12/19
Unit/site # Street # and s	Street name	JANCADUERZ	Province Postal Code
Oncore # Street # and s	or ecc name Cr	icy	1 TOVINEC TOSER COLC
Tenant(s) (Respondent(s):			
If additional space is required to l	ist all parties, use and attac	ch "Schedule of Parties", for	m #RTB-26.
5.22			
Last name		First and middle names	
310.			
Last name		First and middle names	
Respondent Address (address)	ess for service of documents or n	otices – where material will be gi	ven personally, left for, faxed, or mail
5.22			
Unit/site # Street # and stre	eet name City		Province Postal Code
Daytime phone number	Other phone num	ber Fax nu	ımber for document service
Yes, a Schedule of Parties (#R			
Yes, the Mailing Address is d	ifferent from the Responder	nt Address, and it is attache	d.
TO FILE THIS APPLICATION	:		DESIDENTAL TENANDAL
1. On this page, fill in the information b		talla and along at the beathans	RESIDENTIAL TENANCY BRANCH BURNABY, B.C.
 On page 2, check the boxes that application in-person at 		talis and sign at the bottom.	
RTB Burnaby: 400 – 5021 Kingsway Avenue RTB Kelowna: 101–2141 Springfield Road			
RTB Victoria: 1 st floor, 1019 What Applications may also be submitted on		e BC-Government Agents Offic	RECEIVED
 Applications may also be submitted or Do not give a copy of your Application 			1 20
it and you have paid the application fe			initial

Office of Housing and Construction Standards

Residential Tenancy Branch

Lower Mainland: 604-660-1020 Victoria: 250-387-1602 Elsewhere in BC: 1-800-665-8779

Website: www.rto.gov.bc.ca



For RTB use only: File # 730140

Nature of the Dispute

s.22

Ending tenancy, and seeking an Order of Possession:
Notice to End Tenancy
When the dispute involves a <i>Notice to End Tenancy</i> , the <i>Notice to End Tenancy</i> must be given to the tenant before applying for Dispute Resolution and the <i>Notice to End Tenancy</i> must be submitted to the Residential Tenancy Branch.
Date the <i>Notice to End Tenancy</i> referred to in this Application was served: Nov 26 /08
How was it served? By HADD.
Reason for ending tenancy:
Employment with landlord has ended The tenant has not paid rent or utilities OPR The landlord wants the unit or property for another use The landlord has cause, as described in the Act, regulation (state section in the 'Details of the Dispute' box below), or tenancy agreement (provide a copy) OPC The tenant does not qualify for subsidized housing OPQ The tenant has breached an agreement with the landlord (provide a copy of agreement) OPB
Monetary Order: ☐ For damage to the unit, site or property
Recover filing fee from the tenant for the cost of this application
Details of the Dispute
In two or three sentences, describe the issue. Include any dates, times, people or other information that says who, what, where and when the issue arose or the event occurred. When you are asking for a Monetary Order, include a detailed calculation. Attach a separate sheet if necessary. Any additional sheets must be signed.
HAS NOT PAID DAFFAGE DEPOSIT NOTE PENT FOR
JAN.
Signature: Date: S/09
Print name: Rocettos



Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

File No: 730139

In the matter of the Residential Tenancy Act, SBC 2002,c.78., as amended

Between The Bourbon/H		ldon Hotel (Landlord)	Applicant(s)
And	s.22	(Tenant)	Respondent(s)
Regarding	a rental unit at: s.22	- 50 West Cordova Stree	t. Vancouver. BC

Date of Hearing:

February 24, 2009, by conference call

<u>ORDER</u>

I AUTHORIZE AND COMMAND YOU, ^{s.22} Tenant(s) to deliver full and peaceable vacant possession and occupation of the above noted rental unit to **The**Bourbon/Hildon Hotel, Landlord(s) not later than **two (2) days** after service of this order upon you.

I FURTHER ORDER, pursuant to section 72 that the tenant pay to the landlord the sum of \$50.00 representing the fee paid under section 59.

February 24, 2009

J.L. Kernaghan
Dispute Resolution Officer



Residential Tenancy Branch Office of Housing and Construction Standards Ministry of Housing and Social Development

File No: 730139

In the matter of the Residential Tenancy Act, SBC 2002,c.78., as amended

Between

The Bourbon/Hildon Hotel (Landlord)

Applicant(s)

And

s.22

(Tenant)

Respondent(s)

Regarding a rental unit at: s.22

50 West Cordova Street, Vancouver, BC

Date of Hearing:

February 24, 2009, by conference call

Date of Decision:

February 24, 2009

Attending:

For the Landlord:

Paul Roberts, General Manager

For the Tenant:

s.22



Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

Decision

Dispute Codes: OPR, MNR, MNSD, FF

This hearing dealt with an application by the landlord for an order of possession, a monetary order and an order allowing retention of the security deposit in partial satisfaction of the claim. Both parties appeared and had an opportunity to be heard.

Based on the testimony of the resident manager and the tenant I find that the tenant was served with a Notice to End Tenancy for Non-payment of rent and did not file an application to dispute the Notice and is therefore conclusively presumed to have accepted that the tenancy ended on the effective date of the Notice. Based on the above facts I find that the landlord is entitled to an order of possession effective two days after service on the tenant. This order may be filed in the Supreme Court and enforced as an order of that Court.

I find that the landlord has established a total monetary claim of \$1387.00 comprised of arrears of rent in the amount of \$1337.00 and the \$50.00 fee paid by the landlord for this application. This order may be filed in the Small Claims Court and enforced as an order of that Court.

February 24, 2009

J.L. Kernághan

Landlord's Application for Dispute Resolution

F	for RTB use only: File $\#_$	730139
This application is being made under the Manufactured		
This application is being made under the Residential To	·	
Landlord(s) (Applicant(s): The person asking for or additional space is required to list all parties, use and at		n #RTB-26.
THE BOURSON / HUMON HOTEL		
Last name or the full legal business name	First and middle name	S
Last name (if more than one landlord, also use form #RTB-26)	First and middle name	S
Applicant Address (address for service of documents or no	otices – where material will be given	personally, left for, faxed, or mailed)
102 50 W COTODOVA \$T	VANCOUVER	BC V6B/19
Unit/site # Street # and street name	City	Province Postal Code
604 607 5477	604	4MB 9595
Daytime phone number Other phone n		imber for document service
Yes, a Schedule of Parties (#RTB-26) is being used to a	add more Applicants to this app	olication and it is attached.
Yes, the Mailing Address is different from the Applica	nt Address, and it is attached.	
Dispute Address (address of the rental unit or m	anufactured home site)	
s.22	1/	BC 11/7 /201
Unit/site # Street # and street name	City	Province Postal Code
		Trovince Foster Code
Tenant(s) (Respondent(s): The other party to the di		
If additional space is required to list all parties, use and at s.22	tach "Schedule of Parties", forr	n #R1B-26.
Last name	First and middle names	
		1 to an indigent
Last name	First and middle names	
Respondent Address (address for service of documents of s.22	or notices – where material will be giv	ven personally, left for, faxed, or mail
5.22		
Unit/site # Street # and street name . Ci	ity	Province Postal Code
6i		
Daytime phone number Other phone no	umber Fax nu	imber for document service
Yes, a Schedule of Parties (#RTB-26) is being used to a		
Yes, the Mailing Address is different from the Respond	dent Address, and it is attached	d.
	•	
TO FILE THIS APPLICATION:	•	IDENTIAL TENANCY BRANCH
1. On this page, fill in the information boxes.	RES	IDENTIAL TENANCY BRANCH BURNABY, B.C.
 On this page, fill in the information boxes. On page 2, check the boxes that apply to your request, provide 	RES	IDENTIAL TENANCY BRANCH BURNABY, B.C.
 On this page, fill in the information boxes. On page 2, check the boxes that apply to your request, provide Submit your application in-person at: RTB Burnaby: 400 – 5021 Kingsway Avenue RTB Kel 	details and sign at the bottom. owna: 101-2141 Springfield Foad	JAN 1 5 2008
 On this page, fill in the information boxes. On page 2, check the boxes that apply to your request, provide Submit your application in-person at: RTB Burnaby: 400 – 5021 Kingsway Avenue RTB Victoria: 1st floor, 1019 Wharf Street Any Ser 	details and sign at the bottom. owna: 101–2141 Springfield Foad vice BC-Government Agents Office	JAN 1 5 2008
 On this page, fill in the information boxes. On page 2, check the boxes that apply to your request, provide Submit your application in-person at: RTB Burnaby: 400 – 5021 Kingsway Avenue RTB Kel 	details and sign at the bottom. owna: 101–2141 Springfield Foad vice BC-Government Agents Office	JAN 15 2008 RECEIVED 28

Office of Housing and Construction Standards

Residential Tenancy Branch

Lower Mainland: 604-660-1020 Victoria: 250-387-1602 Elsewhere in BC: 1-800-665-8779

Website: www.rto.gov.bc.ca



For RTB use only: File # 730 139

Nature of the Dispute

s.22

s.22

Ending tenancy, and seeking an Order of Possession:
Notice to End Tenancy
When the dispute involves a <i>Notice to End Tenancy</i> , the <i>Notice to End Tenancy</i> must be given to the tenant before applying for Dispute Resolution and the <i>Notice to End Tenancy</i> must be submitted to the Residential Tenancy Branch.
Date the Notice to End Tenancy referred to in this Application was served: $\frac{1}{100}$
How was it served? Ry HADD
Reason for ending tenancy:
Employment with landlord has ended
Monetary Order:
For damage to the unit, site or property
Other Recover filing fee from the tenant for the cost of this application FF □ Serve documents or evidence in a different way than required by the Act SS □ End Tenancy Early and obtain an Order of Possession ET □ Other (provide details in the `Details of the Dispute' box below) O
Details of the Dispute
In two or three sentences, describe the issue. Include any dates, times, people or other information that says who, what, where and when the issue arose or the event occurred. When you are asking for a Monetary Order, include a detailed calculation. Attach a separate sheet if necessary. Any additional sheets must be signed.
22 WAS IP ATTREES POIL A POICHOW OF NOVELLEBERS
PENT 5.22 DID NOT THE WAS SETURD WITH A NOTICE ON NOW 24.5.22 DID NOT PAY DEC REPORT AND WAS SETURD WITH A WIDAY EXICTION ON JAN 06, 5.22
HAS NOT LEFT AND HAS NOT PAID JAN'S TRENT.
Signature:
Print name: PAUL ROCECCS



Residential Tenancy Branch Office of Housing and Construction Standards Ministry of Housing and Social Development

File No: 750704

In the matter of the Residential Tenancy Act, SBC 2002, c.78., as amended

Between

s.22

Tenant

Applicant

And

The Hildon Hotel, Landlord

Respondent

Regarding a rental unit at: s.22

· 50 West Cordova Street, Vancouver, BC

Date of Hearing: April 14, 2010, by conference call

Date of Decision: April 15, 2010

Attending:

For the Landlord: Paul Roberts, Agent for the Landlord

For the Tenant: s.22

Decision

Dispute Codes: CNC

Introduction

This hearing dealt with an application by the tenant to cancel the landlord's notice to end tenancy for cause. Both parties attended the hearing and gave affirmed testimony.

Further, both parties consented to amendment of the application to show the correct

name of the landlord.

Issue to be decided

Whether the tenant is entitled to the above under the Act

Background and Evidence

There is no written tenancy agreement in evidence for this tenancy which began several

years ago. Monthly rent is paid directly to the landlord by the ministry, and rent is

currently somewhere between \$446.95 and \$451.00. The tenant recalls that a security

deposit was collected at the start of tenancy, however, s.22 could not confirm the amount.

Specific incidents occurring on or about February 17 & 18, 2010, led to the landlord's

issuance of a 1 month notice to end tenancy for cause dated February 18, 2010. A

copy of the notice was submitted into evidence, and reasons shown for its issuance are

as follows:

Tenant or a person permitted on the property by the tenant has:

significantly interfered with or unreasonably disturbed another occupant or

the landlord

seriously jeopardized the health or safety or lawful right of another

occupant or the landlord

The events leading to the issuance of the notice are documented in log form by s.22 who is employed by the landlord as a front desk clerk. The landlord's concern arises out of the tenant's conduct and behavior following s.22 denial of guest access to the unit. Specifically, the log describes challenging, threatening and verbally abusive behavior on the part of the tenant, particularly towards s.22 While another employee, was present to testify at the hearing, s.22 had no direct involvement with the particular events leading to issuance of the notice. There were no other witnesses present or immediately available to testify at the time of the hearing.

Analysis

Section 47 of the Act addresses **Landlord's notice**: cause, and provides in part as follows:

- 47(1) A landlord may end a tenancy by giving notice to end the tenancy if one or more of the following applies:
 - (d) the tenant or a person permitted on the residential property by the tenant has
 - (i) significantly interfered with or unreasonably disturbed another occupant or the landlord of the residential property,
 - (ii) seriously jeopardized the health or safety or a lawful right or interest of the landlord or another occupant, or...

Based on the documentary evidence and testimony of the parties, I find that the tenant was served with a 1 month notice to end tenancy for cause dated February 18, 2010.

Section 47(4) of the Act provides that a tenant who receives a notice under section 47 of the Act, may dispute the notice by making an application for dispute resolution within "10 days after the date the tenant receives the notice." In the circumstances of this dispute, the tenant filed an application for dispute resolution on March 1, 2010, which I find is within 10 days of his receipt of the notice.

I note there have been occasions from time-to-time during the tenancy when tensions have existed between the parties. Incidents / complaints are documented as far back as a year or more, and include allegations of yelling, screaming, swearing, slamming of doors and so forth, on the part of the tenant. Clearly, some feeling of animosity currently exists between the tenant and s.22 agent representing the landlord.

However, in the absence of direct witness testimony, on a balance of probabilities I find that the landlord has not met the burden of proving that the tenant's conduct and behavior on or about February 17 & 18, 2010, was sufficiently significant or serious to warrant the granting of an order of possession. Accordingly, I hereby cancel the landlord's notice to end tenancy, with the effect that the tenancy continues in full force and effect.

For reference, the attention of the parties is drawn to section 56 of the Act which speaks to **Application for order ending tenancy early**. Both parties are encouraged to familiarize themselves with the legislation which provides, in part, that in certain circumstances an order ending tenancy early may be made without a requirement that the landlord give the tenant a notice to end tenancy. The full text of the Act, regulation, Residential Tenancy Policy Guidelines, Fact Sheets, forms and more can be accessed via the website: www.rto.gov.bc.ca/

Conclusion

Pursuant to all of the above, the landlord's notice to end tenancy for cause is hereby set aside. The tenancy continues in full force and effect.

DATE: April 15, 2010

l', MITCHELL Diamata Dagalotian



Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

File No: 730138

In the matter of the Residential Tenancy Act, SBC 2002,c.78., as amended

Between	The Bo	urbon/Hildon Hotel (Landlord)	Applicant(s)
And	s.22	(Tenant)	Respondent(s)

Regarding a rental unit at: s.22 - 50 West Cordova Street, Vancouver, BC

Date of Hearing: February 24, 2009, by conference call

ORDER

I DO HEREBY ORDER, pursuant to section 67 of the *Residential Tenancy Act*, that the respondent(s), s.22 pay to the applicant(s), The Bourbon/Hildon Hotel, the sum of \$1959.58.

February 24, 2009



Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

File No: 730138

In the matter of the Residential Tenancy Act, SBC 2002,c.78., as amended

Between	The Bo	ourbon/Hildon Hotel (Landlord)	Applicant(s)
And	s.22	(Tenant)	Respondent(s)

Regarding a rental unit at: s.22 . 50 West Cordova Street, Vancouver, BC

Date of Hearing: February 24, 2009, by conference call

ORDER

I AUTHORIZE AND COMMAND YOU, s.22 Tenant(s) to deliver full and peaceable vacant possession and occupation of the above noted rental unit to The Bourbon/Hildon Hotel, Landlord(s) not later than two (2) days after service of this order upon you.

I FURTHER ORDER, pursuant to section 72 that the tenant pay to the landlord the sum of \$50.00 representing the fee paid under section 59.

February 24, 2009

J.L. Kernaghan



Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

File No: 730138

In the matter of the Residential Tenancy Act, SBC 2002,c.78., as amended

Between The Bourbon/Hildon Hotel (Landlord)

Applicant(s)

And

s.22

(Tenant)

Respondent(s)

Regarding a rental unit at: s.22 - 50 West Cordova Street, Vancouver, BC

Date of Hearing:

February 24, 2009, by conference call

Date of Decision:

February 24, 2009

Attending:

For the Landlord:

Paul Roberts, General Manager

For the Tenant:

No one



Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

Decision

Dispute Codes: OPR, MNR, MNSD, FF

This hearing dealt with an application by the landlord for an order of possession, a monetary order and an order allowing retention of the security deposit in partial satisfaction of the claim. Although served with the Application for Dispute Resolution and Notice of Hearing by personal service the tenant did not appear.

Based on the testimony of the resident manager I find that the tenant was served with a Notice to End Tenancy for Non-payment of rent and did not file an application to dispute the Notice and is therefore conclusively presumed to have accepted that the tenancy ended on the effective date of the Notice. Based on the above facts I find that the landlord is entitled to an order of possession effective two days after service on the tenant. This order may be filed in the Supreme Court and enforced as an order of that Court.

I find that the landlord has established a total monetary claim of \$2175.00 comprised of arrears of rent in the amount of \$2125.00 and the \$50.00 fee paid by the landlord for this application. I order that the landlord retain the deposit and interest of \$215.42 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$1959.58. This order may be filed in the Small Claims Court and enforced as an order of that Court.

February 24, 2009

J.L. Kernaghan

Landlord's Application for Dispute Resolution

	For RTB use only: File #
This application is being made under the Manufactured	
This application is being made under the Residential To	
Landlord(s) (Applicant(s): The person asking for a If additional space is required to list all parties, use and at	
THE BOOKSON /HILDON HOTEL	
Last name or the full legal business name	First and middle names
Last name (if more than one landlord, also use form #RTB-26)	First and middle names
Applicant Address (address for service of documents or no	otices - where material will be given personally, left for, faxed, or mailed)
Unit/site # 50 W. Corcour ST Street # and street name	VANDOUET WE Province Postal Code
. 07 -	
Daytime phone number Other phone n	
	add more Applicants to this application and it is attached.
Yes, the Mailing Address is different from the Applica	
Dispute Address (address of the rental unit or m	
Unit/site # Street # and street name	1/ANCONVETC BC 1/6/5/C9
Unit/site # Street # and street name	City Province Postal Code
Tenant(s) (Respondent(s): The other party to the di If additional space is required to list all parties, use and at	
s.22	
Last name	First and middle names
Last name	First and middle names
Last name	First and middle names
Last name Respondent Address (address for service of documents of doc	
Last name Respondent Address (address for service of documents of s.22	First and middle names or notices – where material will be given personally, left for, faxed, or mail
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Last name Respondent Address (address for service of documents of s.22 Unit/site # Street # and street name Unit # Street # and street name Unit # Stre	First and middle names or notices – where material will be given personally, left for, faxed, or maile try Province Postal Code s.22
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Last name Respondent Address (address for service of documents of s.22 Unit/site # Street # and street name Use s.22 Daytime phone number Other phone n	First and middle names or notices – where material will be given personally, left for, faxed, or maile ty
Last name Respondent Address (address for service of documents of s.22 Unit/site # Street # and street name Cis.22 Daytime phone number Other phone number Other phone number Yes, a Schedule of Parties (#RTB-26) is being used to a Yes, the Mailing Address is different from the Respondent	First and middle names or notices – where material will be given personally, left for, faxed, or maile ty
Last name Respondent Address (address for service of documents of s.22 Unit/site # Street # and street name Cis.22 Daytime phone number Other phone no Yes, a Schedule of Parties (#RTB-26) is being used to a	First and middle names or notices – where material will be given personally, left for, faxed, or maile ty
Last name Respondent Address (address for service of documents of s.22 Unit/site # Street # and street name S.22 Daytime phone number Other phone n Yes, a Schedule of Parties (#RTB-26) is being used to a yes, the Mailing Address is different from the Respondent TO FILE THIS APPLICATION: 1. On this page, fill in the information boxes. 2. On page 2, check the boxes that apply to your request, provide	First and middle names or notices – where material will be given personally, left for, faxed, or maile ty Province S.22 umber Fax number for document service add more Respondents to this application and it is attached. dent Address, and it is attached. RESIDENTIAL TENANCY BRANCH BURNABY, B.C.
Last name Respondent Address (address for service of documents of s.22 Unit/site # Street # and street name S.22 Daytime phone number Other phone n Yes, a Schedule of Parties (#RTB-26) is being used to a yes, the Mailing Address is different from the Respondent TO FILE THIS APPLICATION: 1. On this page, fill in the information boxes. 2. On page 2, check the boxes that apply to your request, provide 3. Submit your application in-person at:	First and middle names or notices – where material will be given personally, left for, faxed, or maile ty
Last name Respondent Address (address for service of documents of s.22 Unit/site # Street # and street name S.22 Daytime phone number Other phone n Yes, a Schedule of Parties (#RTB-26) is being used to a yes, the Mailing Address is different from the Respondent To FILE THIS APPLICATION: 1. On this page, fill in the information boxes. 2. On page 2, check the boxes that apply to your request, provide 3. Submit your application in-person at: RTB Burnaby: 400 – 5021 Kingsway Avenue RTB Kel RTB Victoria: 1st floor, 1019 Wharf Street Any Ser	First and middle names or notices – where material will be given personally, left for, faxed, or maile ty
Last name Respondent Address (address for service of documents of s.22 Unit/site # Street # and street name S.22 Daytime phone number Other phone n Yes, a Schedule of Parties (#RTB-26) is being used to a yes, the Mailing Address is different from the Respondent TO FILE THIS APPLICATION: 1. On this page, fill in the information boxes. 2. On page 2, check the boxes that apply to your request, provide 3. Submit your application in-person at: • RTB Burnaby: 400 – 5021 Kingsway Avenue • RTB Kel	First and middle names or notices – where material will be given personally, left for, faxed, or maile ty

Office of Housing and Construction Standards

Residential Tenancy Branch

Lower Mainland: 604-660-1020 Victoria: 250-387-1602 Elsewhere in BC: 1-800-665-8779

Website: www.rto.gov.bc.ca



Landlord's Application for Dispute Resolution

For RTB use only: File # 730136

Nature of the Dispute

s.22

Ending tenancy, and seeking an Order of Possession:
Notice to End Tenancy
When the dispute involves a <i>Notice to End Tenancy</i> , the <i>Notice to End Tenancy</i> must be given to the tenant before applying for Dispute Resolution and the <i>Notice to End Tenancy</i> must be submitted to the Residential Tenancy Branch.
Date the Notice to End Tenancy referred to in this Application was served:
How was it served? 34 How
Reason for ending tenancy:
Employment with landlord has ended
Monetary Order: For damage to the unit, site or property
End Tenancy Early and obtain an Order of Possession
•
In two or three sentences, describe the issue. Include any dates, times, people or other information that says who, what, where and when the issue arose or the event occurred. When you are asking for a Monetary Order, include a detailed calculation. Attach a separate sheet if necessary. Any additional sheets must be signed.
REFUSES TO PAY TODAT, HAS IGNOTED EVETCY EVICTION MOTILE. HAS A LONG HISTOTRY OF LATE AND MON PAYMENT OF TOCAT.
Signature: Par Rosaus Print name: Par Rosaus
•

Tenant's Application for Dispute Resolution

This application is being made under the Manufactured Ho	_	# <u>750704</u>
Tenant(s) (Applicant(s): The person asking for dispute additional space is required to list all parties use and attacks.22	ite resolution)	#RTB-26.
Last name Last name Anniicant Address (address for senies of documents or notice s.22	First and middle names	rconally left for, faxed, or mailed)
Other phone num Yes, a Schedule of Parties (#RTB-26) is being used to add Yes, the Mailing Address is different from the Applicant A	more Applicants to this applicants	ber for document service cation and it is attached.
Dispute Address (address of the rental unit or ma 5.22 50 65 60 00 A Street # and street name C Landlord(s) (Respondent(s): The other party to the If additional space is required to list all parties, use and attack	VAN COUVER City dispute)	BC VBB ICA Province Postal Code
Last name (if more than one landlord, also use form #RTB-26) Respondent Address (address for service of documents or not be a service of documents or not be compared to address for service of documents or not be compared to add the service of documents or not be compared to add the service of documents or not be compared to add the service of documents or not be compared to add the service of documents or not be compared to add the service of documents or not be compared to add the service of documents or not be compared to add the service of documents or not be compared to add the service of documents or not be compared to add the service of documents or not be compared to add the service of documents or not be compared to add the service of documents or not be compared to add the service of documents or not be compared to add the service of documents or not be compared to add the service of documents or not be compared to add the service of documents or not be compared to add the service of documents or not be compared to add the service of documents or not be compared to add the service of documents or not be compared to add the service of documents or not be compared to add the service of documents or not be compared to add the service of documents or not be compared to add the service of the service of documents or not be compared to add the service of the service of documents or not be compared to add the service of	ber Fax num	Province Postal Code ber for document service
	ails and sign at the bottom. a: 305–478 Bernard Avenue BC-Government Agents Office e Residential Tenancy Branch	RESIDENTIAL TENANCY BRANCH BURNABY, B.C. MAR 0 1 2010 RTB use Stry, CEIVED Cate Stomp & Ioitial 5

Ministry of Housing and Social Development

Residential Tenancy Branch

Lower Mainland: 604-660-1020 Victoria: 250-387-1602 Elsewhere in BC: 1-800-665-8779

Website: www.rto.gov.bc.ca

#RTB-12-T (2009/09)



Tenant's Application for Dispute Resolution For RTB use only: File # 750 70 4 Page 2

Nature of the Dispute	ror RTB use offly; File #
	ation to cancel a <i>Notice to End Tenancy</i> MT
Dispute an additional rent increase Dispute an additional rent increase	DRI
Tenant's employment with landlord has end Cause (state provision of the Act in the 'Det Landlord's intention to convert manufacture Landlord's use of rental property	following reason: ng
Money owed or compensation for damage of	
agreement (provide a copy) Make emergency repairs for health or safety Make repairs to the unit, site or property Provide services or facilities required by law box below) Return the tenant's personal property Suspend or set conditions on the landlord's a Tenant's action sought Obtain an Order of Possession of the rental Allow access to (or from) the unit or site for Authorize a tenant to change the locks to th Allow a tenant to assign or sublet because the Allow a tenant to reduce rent for repairs, see Other Recover filing fee from the landlord for the of Serve documents or evidence in a different of	on in the 'Details of the Dispute' box below), or tenancy OLC reasons ERP RP (state Act and section in the 'Details of the Dispute' PSF RPP right to enter the rental unit LRE unit or site OPT the tenant or the tenant's guests AAT e rental unit LAT e landlord's permission has been unreasonably withheld AS rvices or facilities agreed upon but not provided RR ost of this application FF way than required by the Act SS Dispute' box below) O
Details of the Dispute In two or three sentences, describe the issue. Include any what, where and when the issue arose or the event occurr Order, include a detailed calculation. Attach a separate sh	y dates, times, people or other information that says who, red. When the dispute includes a request for a Monetary
I dispute this Notice	
The personal info:	on may be disclosed to the public in accordance with the collection of this information may be directed to an Information Officer:

File No. 746988 Date: January 22, 2010

In the matter of the Residential Tenancy Act, SBC 2002, c. 78., as amended

Between

s.22

Tenant(s),

Applicant(s)

And

Bourbon Hotel, Landlord(s),

Respondent(s)

Re: An application pursuant to sections 46, 47 and 66 of the *Residential Tenancy Act* regarding the premises at:

50 West Cordova Street, Vancouver, BC

ORDER

I AUTHORIZE AND COMMAND YOU, s.22 and All Occupants, and any guest or other person occupying the above noted rental unit, to deliver full and peaceable vacant possession and occupation of the rental unit not later than 1:00 January 25, 2010.

Dated: January 22, 2010

E. Letain



Residential Tenancy Branch Ministry of Housing and Social Development

File No: 746988

In the matter of the Residential Tenancy Act, SBC 2002, c. 78., as amended

Between

s.22

Tenant(s),

Applicant(s)

And

Bourbon Hotel, Landlord(s),

Respondent(s)

Regarding a rental unit at: s.22

50 West Cordova Street, Vancouver, BC

Date of Hearing:

January 22, 2010, by conference call.

Date of Decision:

January 22, 2010

Attending:

For the Landlord:

Glen Miller, Agent for the Landlord

s.22

For the Tenant:

DECISION

<u>Dispute Codes</u> MT, CNC, CNR

Introduction

This hearing dealt with the Tenant's Application for Dispute Resolution, in which^{s.22} was seeking additional time to make an Application to cancel a Notice to End Tenancy, and orders to cancel Notices to End Tenancy issued tc^{s.22} for cause, for unpaid rent, and for repeated late payment of rent.

The Landlord was represented at the hearing by an Agent for the Landlord.

The Tenant had an Advocate appear for him at the hearing, however, the Tenant did not attend the hearing.

The Advocate for the Tenant did not wish to proceed without the Tenant being present. It was explained to the Advocate for the Tenant that the hearing could proceed with^{s,22} representing the Tenant, or that the hearing would be delayed 10 minutes in order for the Tenant to appear. It was also explained to the Advocate for the Tenant that if the Tenant did not appear in 10 minutes,^{s,22} Application would be dismissed without leave to reapply. The Advocate for the Tenant elected to wait 10 minutes.

The Advocate for the Tenant explained the Tenant wished to make submissions^{s.22} on the various Notices to End Tenancy.

The Landlord alleged the Tenant was in the rental unit sleeping at the time of the hearing.

<u>Analysis</u>

The telephone line remained open while the phone system was monitored for ten minutes and the Tenant did not attend the hearing during this time. An Agent for the Landlord was present. The Tenant was represented by an Advocate who elected not to proceed with the hearing without the Tenant.

Therefore, as the Applicant did not attend the hearing by 10:40 a.m., I dismissed the claim without leave to reapply.

Upon my dismissal of the Application, the Agent for the Landlord requested an Order of Possession for the rental unit effective on **January 25**, **2010**, **at 1:00 p.m**. Pursuant to section 55 of the Act, I must grant the Landlord's request for an Order of Possession.

The Order of Possession is effective at 1:00 p.m. January 25, 2010. This Order may be enforced in the Supreme Court of British Columbia.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: January 22, 2010.

E. Letain

Tenant's Application for Dispute Resolution 7.11 905/

			For RTB use or	ily: File #	746	100
This applic	ation is being made under the Manufact	ured Hom	e Park Tenancy Act			
✓ This application	ation is being made under the Residenti	al Tenanc;	y Act			
	(Applicant(s): The person asking for face is required to list all parties, use an			" form #PT	B-26	
s.22	race is required to list all parties, use all	u attacii	Schedule of Farties	, 10(III #K	D-20, -	
Last name			First and middle n	ames		
	- Table	1	, not alla madio i			
Last name			First and middle n	ames		
Applicant A	Address (address for service of documents	or notices -	where material will be	: alven person	allv, left for, f	faxed, or mailed)
Unit/site #	Street # and street name	City		Pro	ovince	Postal Code
Daytime phone	number Other phor	ne numbe	r I	Fax number	for docum	ent service
_	dule of Parties (#RTB-26) is being used				on and it is	attached.
: ::	Address (address of the rental unit	our Larry e said				
s.22	50 West Cordova Street	Van	couver		ВС	V6B 1C9
Unit/site #	Street # and street name	City	/		Province	Postal Code
	(s) (Respondent(s): The other party ace is required to list all parties, use an			", form #R1	ß-26.	
Bourbon Hote		A South				
Last name or f	ull legal business name		First and middle	names	****	
9-3	nore than one landlord, also use form #RTB-		First and middle			
Responden	t Address (address for service of docume					
	50 West Cordova Street		ouver		BC	V6B 1C9
Unit/site #	Street # and street name	City			Province	Postal Code
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Daytime phone			246.5			
	dule of Parties (#RTB-26) is being used illing Address is different from the Res				ation and it	is attached.
 On this page, f On page 2, che Submit your ap RTB Burnaby RTB Victoria: 	1st floor, 1019 Wharf Street • Any	Kelowna: Service BC	s and sign at the botto 305–478 Bernard Ave C-Government Agents	om. enue s Office	DEC 14	2009
• Do not give a c	ay also be submitted online at www.rio.gov.bc.c copy of your Application to the Respondent(solution fee or obtained) until the F		ranch RT	RECEI B use only te stamp & 1	5

Ministry of Housing and Social Development

Residential Tenancy Branch Lower Mainland: 604-660-1020 Victoria: 250-387-1602 Elsewhere in BC: 1-800-665-8779

Website: www.rto.gov.bc.ca

Tenant's Application for Dispute Resolution

For RTB use only: File #___

Nature of the Dispute		
More time needed for application proces Allow a tenant more time to make an application proces Date the Notice to End Tenancy was rec	oplication to cancel a Notice to End Tenancy	MT
Dispute an additional rent increase Dispute an additional rent increase		DRI
Cancel a Notice to End Tenancy issued for Tenant does not qualify for subsidized h Tenant's employment with landlord has Cause (state provision of the Act in the Landlord's intention to convert manufact Landlord's use of rental property		CNQ CNE CNC CNLC
Monetary Order for the following reason:		
Cost of emergency repairs	ge or loss under the Act, regulation or tenancy agreement sit or security deposit	MNDC
Landlord's action sought		_
Comply with the Act, regulation (state s agreement (provide a copy)	ection in the 'Details of the Dispute' box below), or tenancy afety reasons Jaw (state Act and section in the 'Details of the Dispute' afety reasons d's right to enter the rental unit	OLC ERP RP PSF RPP
Tenant's action sought		
Allow access to (or from) the unit or site Authorize a tenant to change the locks t Allow a tenant to assign or sublet because	e for the tenant or the tenant's guests	AAT LAT AS
Other	,	
Recover filing fee from the landlord for t Serve documents or evidence in a difference	the cost of this applicationent way than required by the Actthe Dispute' box below)	SS
Details of the Dispute		
In two or three sentences, describe the issue. Include what, where and when the issue arose or the event of	e any dates, times, people or other information that says who courred. When the dispute includes a request for a Monetar te sheet if necessary. Any additional sheets must be signed	γ
2009 (RTB File No. 742098). At the hearing, the landlord indicated the listed on land title search as that of landlord. DRO Coyne instructed On December 9, tenant received two additional eviction notices - and disputing these notices. Tenant was in fail on December 11 and 12, s.22	It disputed notice and dispute resolution hearing was scheduled for Decement that it was not properly named on the application. The tenant had used not be tenant to re-file application for dispute resolution with landlord's correct notice for unpaid rent and a 30-day notice for cause. Tenant is also and is requesting additional time to file application with respect to these notice.	me ime. o
Signature: _	_ Date: Dec 14)09	
Print name:		

The personal information recorded on this form is collected under the authority of s. 59 Residential Tenancy Act and s. 52 Manufactured Home Park Tenancy Act for the purpose of administering the Acts. The information may be disclosed to the public in accordance with the Freedom of Information and Protection of Privacy Act. Questions about the collection of this information may be directed to an Information Officer:

Lower Mainland 604-660-1020 Victoria 387-1602 Elsewhere in B.C. 1-800-665-8779



Residential Tenancy Branch Ministry of Housing and Social Development

File No: 735773

In the matter of the Residential Tenancy Act, SBC 2002, c. 78., as amended

Between

s.22

Tenant(s),

Applicant(s)

And

Newton Investments Ltd., Hotel Bourbon, Hildon Hotel, Landlord(s),

Respondent(s)

Regarding a rental unit at:

50 West Cordova Street, Vancouver, BC

Date of Hearing:

September 11, 2009, by conference call.

Date of Decision:

September 11, 2009

Attending:

For the Landlord: Glenn Miller

For the Tenant:

s.22

Page: 1

DECISION

Dispute Codes

MNSD

Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenant for a Monetary Order for the return of double their security deposit.

Service of the hearing documents, by the Tenant to the Landlord, was done in accordance with section 89 of the *Act*, served in person by the Tenant to the Landlord on June 4, 2009. The Landlord confirmed receipt of the hearing package.

The Landlord and Tenant appeared, gave affirmed testimony, were provided the opportunity to present their evidence orally, in writing, and in documentary form.

The Tenant did not receive a copy of the Landlord's evidence package but did receive a copy of a letter issued by the Landlord and dated August 3, 2009. The Landlord confirmed that he did not send the Tenant a copy of his evidence. Both parties were informed the that Landlord's evidence was not provided to the Tenant in accordance with the *Residential Tenancy Rules of Procedure* and that the Landlord's evidence will not be considered in my decision. All of the testimony was carefully considered.

Issues(s) to be Decided

Is the Tenant entitled to a Monetary Order under sections 38 of the *Residential Tenancy Act*?

Background and Evidence

The month to month tenancy began on February 20, 2009 and rent was payable on the first of each month in the amount of \$450.00. The Tenant paid a security deposit of \$225.00 on February 11, 2009.

The Tenant advised that the tenancy ended on April 1, 2009 when s.22 vacated the rental unit. The Tenant argued that s.22 provided the Landlord with written notice to end-the-00031

tenancy on March 13, 2009 with an effective date of April 1, 2009 and that this notice included ^{s.22} forwarding address.

The Landlord testified that he received the notice to end tenancy from the Tenant on March 15, 2009 and that the Tenant did not vacate the rental unit until April 7, 2009. The Landlord argued that he received two notices from the Tenant; the first was received on March 15, 2009, was dated February 28, 2009 and did not include the Tenant's forwarding address. The Landlord stated that he received a second notice on April 1, 2009 and that this notice listed the Tenant's forwarding address and a request for the return of the Tenant's security deposit.

The Landlord testified that he did not return the Tenant's security deposit and that the Landlord did not apply for dispute resolution for an Order to keep the security deposit. The Landlord claims that the Tenant failed to provide him with proper thirty days notice to end tenancy and that the Tenant failed to pay April 2009 rent.

Analysis

I find that in order to justify payment of loss under section 67 of the *Act*, the Applicant Tenant would be required to prove that the other party did not comply with the *Act* and that this non-compliance resulted in costs or losses to the Applicant pursuant to section 7. It is important to note that in a claim for damage or loss under the *Act*, the party claiming the damage or loss; in this case the Tenant bears the burden of proof.

Based on the testimony and documentary evidence before me I find that the tenancy ended in April 2009, that the Landlord was provided notification in writing of the notice to end tenancy from the Tenant on March 15, 2009, and that the Tenant's forwarding address was received by the Landlord in writing on April 1, 2009 along with the Tenant's request for the return of his security deposit.

Section 38(1) of the *Act* stipulates that if within 15 days after the later of: 1) the date the tenancy ends, and 2) the date the landlord receives the tenant's forwarding address in writing, the landlord must repay the security and pet deposit to the tenant with interest HOU-2011-00031

Page 61

Page: 3

or make application for dispute resolution claiming against the security deposit or pet deposit. In this case the Landlord was required to return the Tenant's security deposit or file for dispute resolution no later than April 22, 2009.

Based on the above, I find that the Landlord has failed to comply with Section 38(1) of the *Act* and that the Landlord is subject to Section 38(6) of the *Act* which states that if a landlord fails to comply with section 38(1) the landlord may not make a claim against the security and pet deposit and the landlord must pay the tenant double the amount of the security and pet deposit. I find that the Tenant has succeeded in proving the test for damage or loss as listed above and I approve s.22 claim for the return of double the security deposit and interest in the amount of \$450.00 (\$225.00 + \$225.00 + \$0.00 interest)

I do not accept the Landlord's argument that the Landlord's violation of withholding the security deposit was somehow excused due to the Tenant's alleged failure to comply with the Act of not providing proper notice to end tenancy. Even if the Tenant was found to be in violation of the Act, there is no provision in the Act that extends immunity for a reciprocal breach on the part of a Landlord.

Conclusion

I HEREBY FIND in favor of the Tenant's monetary claim. A copy of the Tenant's decision will be accompanied by a Monetary Order for \$450.00. The order must be served on the respondent Landlord and is enforceable through the Provincial Court as an order of that Court.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: September 11, 2009.

L. Bell

File No. 735773

Date: September 11, 2009

In the matter of the Residential Tenancy Act, SBC 2002, c. 78., as amended

Between

s.22

Tenant(s),

Applicant(s)

And

Newton Investments Ltd, Hotel Bourbon, Hildon Hotel, Landlord(s),

Respondent(s)

Re: An application pursuant to section 38 of the *Residential Tenancy Act* regarding the premises at:

50 West Cordova Street, Vancouver, BC

ORDER

I HEREBY ORDER, pursuant to section 67 of the *Residential Tenancy Act*, the Respondent, **Newton Investments Ltd**, **Hotel Bourbon**, **Hildon Hotel** to pay to the Applicant, s.22 the sum of \$450.00.

Dated: September 11, 2009

L. Bell

Tenant's Application for Dispute Resolution

This application is being made under the <i>Manufa</i> This application is being made under the <i>Resider</i>		e Park Tenancy	e only: File # Act	1351	P
Tenant(s) (Applicant(s): The person asking If additional space is required to list all parties, use s.22	for dispute	resolution)	ties", form #	RTB-26.	
Last name		First and midd	lo namos		
Last lidine		Thist and illida	ie names		
Last name		First and midd	le names		
Applicant Address (address for service of document	nts or notices -			onally, left for,	faxed, or mailed)
s.22					
Unit/site # Street # and street name	City	<u></u>		Province	Postal Code
Daytime phone number Other ph	hone numbe	r	Fax numb	er for docur	nent service
Yes, a Schedule of Parties (#RTB-26) is being use				ition and it i	s attached.
Yes, the Mailing Address is different from the A	Applicant Ado	dress, and it is a	ttached.		
Dispute Address (address of the rental un	nit or manu	factured home	site)		
s.22 50 W. Cordova 💃		couver	<u> </u>	ВС	V6B 1C9
Unit/site # Street # and street name	City			Province	٠ ـ ـ ـ ـ ـ ـ ـ ـ ـ ـ ـ ـ ـ ـ ـ ـ ـ ـ ـ
Landlord(s) (Respondent(s): The other par If additional space is required to list all parties, use a Hotel Bourbon		and the second of the first of the second of	ties", form #	RTB-26.	
Last name or full legal business name		First and mide	dle names		
HILDON HOTEL					
Last name (if more than one landlord, also use form #RT	-	First and mide			
Respondent Address (address for service of documents)			al will be given		
102 50 W. Cordova St.	Vanco	uver		BC	V6B 1C9
Unit/site # Street # and street name	<u>City</u>			Province	Postal Code
604 687 5427			<u></u>		
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Yes, a Schedule of Parties (#RTB-26) is being use Yes, the Mailing Address is different from the R				ication and	it is attached.
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Office of Housing and Construction Standards

Residential Tenancy Branch

Lower Mainland: 604-660-1020 Victoria: 250-387-1602 Elsewhere in BC: 1-800-665-8779

Website: www.rto.gov.bc.ca

#RTB-12-T (2007/10)



Tenant's Application for Dispute Resolu	ıtior
-----------------------------------------	-------

For RTB use only: File # 35113

Nature	of t	the	Dis	pute
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More time needed for applicat	ion process	
	o make an application to cancel a Notice to End Tenancy	
Dispute an additional rent inc		
Dispute an additional rent i	ncrease	DRI
Cancel a <i>Notice to End Tenanc</i>	cv issued for the following reason:	
	subsidized housing	CNO
	landlord has ended	
	ne Act in the 'Details of the Dispute' box below)	
	vert manufactured home park to another use	
	perty	
Monetary Order for the following		
— •	reason.	MND
	ion for damage or loss under the Act, regulation or tenancy ag	
	damage deposit or security deposit	
	ary Order is for the following amount:	
	on of the amount in the 'Details of the Dispute' box below.	\$ 450.00
	of the amount in the Details of the Dispute Box below.	
Landlord's action sought		
Comply with the Act, regula	ation (state section in the 'Details of the Dispute' box below	N), or tenancy
	. Lastin as arish and arish	
	r health or safety reasons	
	te or property	
	s required by law (state Act and section in the 'Details of the	
	al property	
	on the landlord's right to enter the rental unit	
 •	of the landiord's right to enter the fental diffe	
Tenant's action sought		O Deep
	ion of the rental unit or site	
	ne unit or site for the tenant or the tenant's guests	
	ge the locks to the rental unit	
	sublet because the landlord's permission has been unreasonably nt for repairs, services or facilities agreed upon but not pro	
<u>—</u>	nt for repairs, services of racinties agreed upon but not pr	Jvided RR
Other		
	landlord for the cost of this application	
	ice in a different way than required by the Act	
Other (provide details in the	e 'Details of the Dispute' box below)	., 0
Details of the Dispute		
-	ssue. Include any dates, times, people or other information	on that says who.
	the event occurred. When the dispute includes a request	
	ach a separate sheet if necessary. Any additional sheets r	
The tenant had moved into the Bourban Ho deposit of \$225.00. (Please see attached ro moving out in April. The tenant then receive The tenant then moved out, and provided t	otel on February 20, 2009 and paid a pro-rated rent of \$144. eceipts). The tenant then provided notice to the Landlord that a Notice to End Tenancy on April 2, 2009, and to be out the Landlord with a forwarding address to receives. 22 security cosit and is now requesting double the amount of \$450.00,	63, and a security at would be by April 12, 2009. y deposit. The
s.22		was paid.
Signati _	Date: June 1, 2009	direct from Minis record available
Print na		

The personal information recorded on this form is collected under the authority of s. 59 Residential Tenancy Act and s. 52 Manufactured Home Park Tenancy Act for the purpose of administering the Acts. The information may be disclosed to the public in accordance with the Freedom of Information and Protection of Privacy Act. Questions about the collection of this information may be directed to an Information Officer:

Lower Mainland 604-660-1020 Victoria 387-1602 Elsewhere in B.C. 1-800-665-8779 HOU-2011-00031 HOU-2011-00031

ப்பாவை File No. 736789 Decision Date: 2009-04-30

In the matter of the Residential Tenancy Act, SBC 2002, c. 78., as amended

between

s.22

Tenant(s),

Applicant(s)

and

Hotel Bourbon, Landlord(s),

Respondent(s)

Re: An application pursuant to sections 47, 66 of the *Residential Tenancy Act* regarding the rental unit at:

50 West Cordova St., Vancouver, British Columbia

Date of hearing: April 30, 2009, by conference call.

Appearances: Glen Miller, for the landlord

No appearance for the tenant

DECISION AND REASONS

This matter was set for a conference call hearing at 9:30 a.m. on this date. The applicant for this matter did not call into the conference call; therefore their application is dismissed.

The respondent appeared in the hearing and verbally requested an Order of Possession in accordance with Section 55 of the Residential Tenancy Act, for as soon as possible.

As per Section 55 (1) (b) I grant an Order of Possession to the landlord not later than two (2) days after service of the order upon the tenant. The tenant must be served with this Order of Possession. Should the tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

Dated April 30, 2009.

R. Lanon

Burnaby File No. 736789 Decision Date: 2009-04-30

In the matter of the Residential Tenancy Act, SBC 2002, c. 78., as amended

s.22 Tenant(s), Applicant(s)

Hotel Bourbon, Landlord(s),

Respondent(s)

Re: An application pursuant to sections 47, 66 of the *Residential Tenancy Act* regarding the premises at:

5.22 50 West Cordova St., Vancouver, British Columbia

Date of hearing: April 30, 2009, by conference call.

ORDER

I AUTHORIZE AND COMMAND YOU, s.22

Tenant, and any person claiming possession or occupation through you or under you, to deliver full and peaceable vacant possession and occupation of the above noted rental unit to Hotel Bourbon, Landlord not later than two (2) days after service of this order upon you.

Dated April 30, 2009.

R. Lanon

Tenant's Application for Dispute Resolution

This application is being made under the Manufactured Home	For RTB use only: File #	736789
This application is being made under the Residential Tenancy	·	
Tenant(s) (Applicant(s): The person asking for dispute If additional space is required to list all parties, use and attach "	The state of the s	-26.
s.22		
Applicant Address (address for service of documents or notices -	where material will be given personall	v. left for, faxed, or mailed)
S.22	Mro.	WDCO WOCTOW ORD
Unit/site # Street # and street name . City	FIOV	vince Postal Code
Daytime phone number Other phone number	Fax number for	or document service
Yes, a Schedule of Parties (#RTB-26) is being used to add me Yes, the Mailing Address is different from the Applicant Add		and it is attached.
Dispute Address (address of the rental unit or manual	factured home site)	
SO WEST CURDOUR ST. UT	ANCOUNER	BC VBBIC9
Unit/site # Street # and street name City		Province Postal Code
Landlord(s) (Respondent(s): The other party to the dis	• •	
If additional space is required to list all parties, use and attach "	Schedule of Parties", form #RIB	-26.
Last name or full legal business name	First and middle names	
Last name (if more than one landlord, also use form #RTB-26) Respondent Address (address for service of documents or notion	First and middle names	onally left for faved or mailed
-102 50 WEST CORPOUR UN	NCOUVER E	3C V6B1C9
Unit/site # Street # and street name City	Pr	ovince Postal Code
$\begin{array}{c ccccccccccccccccccccccccccccccccccc$	Fax number for	or document service
Yes, a Schedule of Parties (#RTB-26) is being used to add more Yes, the Mailing Address is different from the Respondent A		ion and it is attached.
TO FILE THIS APPLICATION: 1. On this page, fill in the information boxes.	For	SIDENTIAL TENANCY BIVANCH
2. On page 2, check the boxes that apply to your request, provide details3. Submit your application in-person at:		BURNABY, B.C.
• RTB Burnaby: 400 – 5021 Kingsway Avenue • RTB Kelowna:	L01-2141 Springfield Road	MAR 0 5 2009
 Applications may also be submitted online at www.rto.gov.bc.ca. 	-Government Agents Office	RECEIVED
 Do not give a copy of your Application to the Respondent(s) until the F accepts it and you have paid the application fee or obtained a fee waiv 		use only 5

Office of Housing and Construction Standards

Residential Tenancy Branch

Lower Mainland: 604-660-1020 Victoria: 250-387-1602 Elsewhere in BC: 1-800-665-8779

Website: www.rto.gov.bc.ca

BRITISH COLUMBIA HON-204111000341 Earth Page 68

Page 2

or	RTB	use	only:	File	#_	136	78	7
			100000000000000000000000000000000000000				- 1	

Nature of the Dispute
More time needed for application process Allow a tenant more time to make an application to cancel a Notice to End Tenancy
Dispute an additional rent increase Dispute an additional rent increase
Cancel a Notice to End Tenancy issued for the following reason: Tenant does not qualify for subsidized housing
Monetary Order for the following reason: Cost of emergency repairs
Landlord's action sought Comply with the Act, regulation (state section in the 'Details of the Dispute' box below), or tenancy agreement (provide a copy) Make emergency repairs for health or safety reasons ERP Make repairs to the unit, site or property Provide services or facilities required by law (state Act and section in the 'Details of the Dispute' box below) Return the tenant's personal property RPP Suspend or set conditions on the landlord's right to enter the rental unit LRE Tenant's action sought Obtain an Order of Possession of the rental unit or site OPT Allow access to (or from) the unit or site for the tenant or the tenant's guests AAT
Authorize a tenant to change the locks to the rental unit
Other Recover filing fee from the landlord for the cost of this application
Details of the Dispute In two or three sentences, describe the issue. Include any dates, times, people or other information that says who, what, where and when the issue arose or the event occurred. When the dispute includes a request for a Monetary Order, include a detailed calculation. Attach a separate sheet if necessary. Any additional sheets must be signed.
REQUEST EXTRA TIME TO FILE IF NECESSARY
I DISPUTE THIS NOTICE
Signature:
Print name:

The personal information recorded on this form is collected under the authority of s. 59 Residential Tenancy Act and s. 52 Manufactured Home Park Tenancy Act for the purpose of administering the Acts. The information may be disclosed to the public in accordance with the Freedom of Information and Protection of Privacy Act. Questions about the collection of this information may be directed to an Information Officer:

Lower Mainland 604-660-1020 Victoria 387-1602 Elsewhere in B.C. 1-800-665-8779 HOU-2011-00031 HOU-2011-00031



Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

File No: 737143

In the matter of the Residential Tenancy Act, SBC 2002,c.78., as amended

Between

THE BOURBON HOTEL AND PAUL ROBERTS, Landlord(s),

Applicant(s)

And

s.22

, Tenant(s),

Respondent(s)

Regarding a rental unit at: 50 West Cordova Street, Vancouver, British Columbia

Date of Hearing:

July 8, 2009, by conference call

Date of Decision:

July 8, 2009

Attending:

For the Landlord: No one attended

For the Tenant: No one attended

Landlord's Application for Dispute Resolution

	For RTB use only: F	ile #	<u> 137 143</u>	<u> </u>
This application is being made under the Manufa				
This application is being made under the Reside	,			
Grander (**************************************		
Landlord(s) (Applicant(s): The person askin				
If additional space is required to list all parties, use The Bourbon Hotel	and attach "Schedule of Parti	es", form	#RTB-26.	
	<u>Paul</u>			
Last name or the full legal business name Roberts	First and midd	le names		
	PAUL			
Last name (if more than one landlord, also use form #RTB-	26) First and middl	e names		
Applicant Address (address for service of documer	nts or notices - where material will	be given pe	ersonally, left for, fa	axed, or mailed)
102 50 West Cordova STREET	Vancouver		ВС	V6B 1C9
Unit/site # Street # and street name	City		Province	Postal Code
604 687 5427 604	838 7527	604	408 9595	
Daytime phone number Other pl	none number	Fax nur	nber for docum	ent service
Yes, a Schedule of Parties (#RTB-26) is being us			cation and it is	attached.
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Office of Housing and Construction Standards

Residential Tenancy Branch

Lower Mainland: 604-660-1020 Victoria: 250-387-1602 Elsewhere in BC: 1-800-665-8779

Website: www.rto.gov.bc.ca



Landlord's Application for Dispute Resolution

Page 2

For RTB use only: File # 137143,

Nature of the Dispute

Ending tenancy, and seeking an Order of Possession:
Notice to End Tenancy
When the dispute involves a <i>Notice to End Tenancy</i> , the <i>Notice to End Tenancy</i> must be given to the tenant before applying for Dispute Resolution and the <i>Notice to End Tenancy</i> must be submitted to the Residential Tenancy Branch.
Date the Notice to End Tenancy referred to in this Application was served: April 02 2009
How was it served? By Hand
Reason for ending tenancy:
□ Employment with landlord has ended
Monetary Order:
For damage to the unit, site or property
Other ✓ Recover filing fee from the tenant for the cost of this application
Details of the Dispute
In two or three sentences, describe the issue. Include any dates, times, people or other information that says who, what, where and when the issue arose or the event occurred. When you are asking for a Monetary Order, include a detailed calculation. Attach a separate sheet if necessary. Any additional sheets must be signed.
Theh Tenant has been consistently been late paying rent. They have not paid rent since December.
Signature: 12/09 Date: 4409
Print name: PAUL ROBGICK

Burnaby File No. 727955 Decision Date: 2008-11-12

In the matter of the Residential Tenancy Act, S.B.C. 2002, c. 78.

between

The Hildon Hotel, Landlord(s),

Applicant(s)

and

s.22

Tenant(s),

Respondent(s)

Re: An application pursuant to sections 67 55 38 of the *Residential Tenancy Act* regarding the premises at:

50 West Cordova Street, Vancouver, British Columbia

Date of hearing: November 12, 2008, by conference call.

DECISION AND REASONS

This application is dismissed with leave to reapply because neither party attend the hearing by 12:15 a.m. November 12th, 2008.

Dated November 12, 2008.

Suzanne Jackson

Landlord's Application for Dispute Resolution

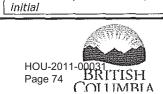
	For RTB use only: File #_	72795
This application is being made under the Manufac	ctured Home Park Tenancy Act	
This application is being made under the Residen	itial Tenancy Act	
Landlord(s) (Applicant(s): The person asking	r for dispute resolution)	
If additional space is required to list all parties, use a		rm #RTB-26.
The Hildon Hotel		
Last name or the full legal business name	First and middle nam	ies
Last name (if more than one landlord, also use form #RTB-2	•	
Applicant Address (address for service of document 102 50 West Cordova Smeet	ts or notices – where material will be given Vancouver	n personally, left for, faxed, or mailed) BC V6B 1C9
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		number for document service
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50 West Cordova STREET	Vancouver	BC V6B 1C9
Unit/site # Street # and street name	City	Province Postal Code
Tenant(s) (Respondent(s): The other party to	the dispute)	
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5.22		
Last name	First and middle name	s
Last name	First and middle name	
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 On this page, fill in the information boxes. On page 2, check the boxes that apply to your request, pr 	rovide details and sign at the hottom	RESIDENTIAL TENANCY BRANCH BURNABY, B.C.
3. Submit your application in-person at:	_	OCI 1 7 2008
	TB Kelowna: 101–2141 Springfield Roa ny Service BC-Government Agents Offi	
 Applications may also be submitted online at <u>www.rto.gov</u> 	v.bc.ca.	NECEIVED 61
 Do not give a copy of your Application to the Respondent(s) u 	intil the Decidential Tenanci Prench secon	ots RTB use only - date stamp &

Office of Housing and Construction Standards

Residential Tenancy Branch

Lower Mainland: 604-660-1020 Victoria: 250-387-1602 Elsewhere in BC: 1-800-665-8779

Website: www.rto.gov.bc.ca



Landlord's Application for Dispute Resolution

Page 2

For RTB use only: File # 725955

Nature of the Dispute

s.22 s.22

Ending tenancy, and seeking an Order of Possession:	
Notice to End Tenancy	
When the dispute involves a <i>Notice to End Tenancy</i> , the <i>Notice to End Tena</i> before applying for Dispute Resolution and the <i>Notice to End Tenancy</i> must Tenancy Branch.	t be submitted to the Residential
Date the Notice to End Tenancy referred to in this Application was served:	September 02 2008
How was it served? By Hard	
Reason for ending tenancy:	
☐ Employment with landlord has ended ☐ The tenant has not paid rent or utilities	OPR
Monetary Order:	
For damage to the unit, site or property For unpaid rent or utilities To keep all or part of pet damage deposit or security deposit For money owed or compensation for damage or loss under the Act, regular to the request for a Monetary Order is for the following amout provide a detailed calculation of the amount in the 'Details of the Disp	
Recover filing fee from the tenant for the cost of this application Serve documents or evidence in a different way than required by the End Tenancy Early and obtain an Order of Possession Other (provide details in the 'Details of the Dispute' box below)	Act SS ET
Details of the Dispute	
In two or three sentences, describe the issue. Include any dates, times, people of what, where and when the issue arose or the event occurred. When you are askidetailed calculation. Attach a separate sheet if necessary. Any additional sheets	ng for a Monetary Order, include a
was issued a 10 day eviction notice for failure to pay rent for the month still remains in the unit with rent unpaid. s.22 has not disputed SEPT, OCT PEUT & DALAGE DEPOSIT.	of September. As of October 7 2008, I the initial 10 day eviction notice.
On	tober 7 2008
Signature: Date:	
Paul Roberts Print name:	

Burnัฉมy File No. 727954 Decision Date: 2008-11-12

In the matter of the Residential Tenancy Act, S.B.C. 2002, c. 78.

between

The Hildon Hotel, Landlord(s),

Applicant(s)

and

s.22

Tenant(s),

Respondent(s)

Re: An application pursuant to sections 67 55 38 of the *Residential Tenancy Act* regarding the premises at:

50 West Cordova Street, Vancouver, British Columbia

Date of hearing: November 12, 2008, by conference call.

DECISION AND REASONS

- [1] This is an application by the landlord for an order of possession, arrears of rent, retention of the security deposit and recovery of the filing fee.
- [2] The tenant did attend the hearing. The landlord did not attend the hearing.
- [3] The application is dismissed without leave to reapply because the landlord did not attend the hearing and did not prove its claims.

Dated November 12, 2008.

Suzanne Jackson

Landlord's Application for Dispute Resolution

This application is being made under the Manufactured Home Park Tenancy Act This application is being made under the Residential Tenancy Act This application is being made under the Residential Tenancy Act This application is being made under the Residential Tenancy Act This application is being made under the Residential Tenancy Act This application is being made under the Residential Tenancy Act This application is being made under the Residential Tenancy Act This application is being made under the Residential Tenancy Act This application is being made under the Residential Tenancy Act This application is being made under the Residential Tenancy Act This application is being made under the Residential Tenancy Act This application is being made under the Residential Tenancy Act This application is being made under the Residential Tenancy Act This application is being made under the Residential Tenancy Act This application is being made under the Residential Tenancy Act This application is being made under the Residential Tenancy Act This application is being made under the Residential Tenancy Act This application is being made under the Residential Tenancy Act This application is being made under the Residential Tenancy Act This and middle names This application and it is attached. This ap			For RTB use on	ly: File #	457 LR	. 7
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Yes, a Schedule of Parties (#RTB-26) is being used to add more Respondents to this application and it is attached. Yes, the Mailing Address is different from the Respondent Address, and it is attached. TO FILE THIS APPLICATION: 1. On this page, fill in the information boxes. 2. On page 2, check the boxes that apply to your request, provide details and sign at the bottom. 3. Submit your application in-person at: RTB Burnaby: 400 - 5021 Kingsway Avenue RTB Kelowna: 101-2141 Springfield Road RTB Victoria: 1st floor, 1019 Wharf Street Applications may also be submitted online at www.rto.gov.bc.ca.	Unit/site # Street # and street nar	me	City		Province	Postal Code
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1. On this page, fill in the information boxes. 2. On page 2, check the boxes that apply to your request, provide details and sign at the bottom. 3. Submit your application in-person at: RTB Burnaby: 400 - 5021 Kingsway Avenue RTB Kelowna: 101-2141 Springfield Road RTB Victoria: 1st floor, 1019 Wharf Street Applications may also be submitted online at www.rto.gov.bc.ca .	Yes, a Schedule of Parties (#RTB-26) Yes, the Mailing Address is differen) is being used to t from the Resp	to add more Respond oondent Address, and	ents to this ap it is attached.	plication and it	is attached.
 RTB Burnaby: 400 – 5021 Kingsway Avenue RTB Kelowna: 101–2141 Springfield Road RTB Victoria: 1st floor, 1019 Wharf Street Applications may also be submitted online at www.rto.gov.bc.ca. 		our request, prov	ride details and sign at t	he bottom.	BURNABY	(B.C.
Applications may also be submitted online at www.rto.gov.bc.ca . Do not give a copy of your Application to the Respondent(s) until the Residential Tenancy Branch accepts RTB use only date stamp &	 RTB Burnaby: 400 – 5021 Kingsway Ave RTB Victoria: 1st floor, 1019 Wharf Stree 	t • Any	Service BC-Governmen		OCT 17	2008
it and you have paid the application fee or obtained a fee waiver.	 Do not give a copy of your Application to the F 	Respondent(s) unt	il the Residential Tenancy	Branch accepts	1111	date stamp &

Office of Housing and Construction Standards

Residential Tenancy Branch

Lower Mainland: 604-660-1020 Victoria: 250-387-1602 Elsewhere in BC: 1-800-665-8779

Website: www.rto.gov.bc.ca



Landlord's Application for Dispute Resolution

Page 2

For RTB use only: File #
Nature of the Dispute
Ending tenancy, and seeking an Order of Possession:
Notice to End Tenancy
When the dispute involves a <i>Notice to End Tenancy</i> , the <i>Notice to End Tenancy</i> must be given to the tenant before applying for Dispute Resolution and the <i>Notice to End Tenancy</i> must be submitted to the Residential Tenancy Branch.
Date the Notice to End Tenancy referred to in this Application was served: September 02 2008
How was it served? By Hand
Reason for ending tenancy:
□ Employment with landlord has ended
Monetary Order: For damage to the unit, site or property
Recover filing fee from the tenant for the cost of this application
Details of the Dispute
In two or three sentences, describe the issue. Include any dates, times, people or other information that says who, what, where and when the issue arose or the event occurred. When you are asking for a Monetary Order, include a detailed calculation. Attach a separate sheet if necessary. Any additional sheets must be signed.
had a deal brokered between us and s.22 was considerably late on rent payments for several months. The deal was signed by s.22 adn s.22 has not honored the agreeement and still not paid back rent or current rent. For cursing the As of Serrior, at how Dus Dance Deasit.
Signature: Date: October 7 2008 Paul Roberts



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

Burnaby File No. 728187 Decision Date: 2009-01-21

In the matter of the Residential Tenancy Act, SBC 2002, c. 78., as amended

between

s.22 Tenant(s),

Applicant(s)

and

Hotel Bourbon, Landlord(s),

Respondent(s)

Regarding a rental unit at:

50 West Cordova Street, Vancouver, British Columbia

Date of hearing: January 21, 2009, by conference call.

Attending:

For the landlord: Paul Roberts

For the tenant: No one

DECISION

Dispute Codes: MT, CNC

This matter was set for a conference call hearing at 10:00 a.m. on this date. As the applicant did not call into the conference call, this application is dismissed.

During the hearing, the landlord requested for an order of possession. I find that the landlord is entitled to an order of possession. The tenant must be served with the order of possession. Should the tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

Dated January 21, 2009.

E. Nee

Burnaby File No. 728187 Decision Date: 2009-01-21

In the matter of the Residential Tenancy Act, SBC 2002, c. 78., as amended

Between

Tenant(s),

Applicant(s)

And

Hotel Bourbon, Landlord(s),

Respondent(s)

Regarding a rental unit at:

50 West Cordova Street, Vancouver, British Columbia

Date of hearing: January 21, 2009, by conference call.

ORDER

I AUTHORIZE AND COMMAND YOU, s.22

Tenant(s) to deliver

full and peaceable vacant possession and occupation of the above noted rental unit to **Hotel Bourbon**, Landlord(s) not later than **two (2) days** after service of this order upon you.

Dated January 21, 2009.

E. Nee

Tenant's Application for Dispute Resolution

		For RTB use	only: File	# 728	187
This application is being made under the Manufo	actured Hom			··	
This application is being made under the Reside	ential Tenancy	/ Act			
Tenant(s) (Applicant(s): The person asking If additional space is required to list all parties, use			ties", form	#RTB-26.	
s.22					Ì
Last name		First and middl	e names		
Lock name		Final and unidel		· · · · · · · · · · · · · · · · · · ·	
Last name Applicant Address (address forcen in of decume	ntr or notices	First and middl		sonally loft for	forced or mailed)
Applicant Address (address for service of docume s.22	HIS OF TIOUCES -	Where it later late will	i be give i pe	sorially, leactor,	laxed, of malled)
Unit/site # Street # and street name s.22	City			Province	Postal Code
Daytime phone number Other p	l hone number	-	Fax num	l ber for docun	nent service
Yes, a Schedule of Parties (#RTB-26) is being us Yes, the Mailing Address is different from the				ation and it is	s attached.
Dispute Address (address of the rental u	ınit or manu	factured home	site)		
s.22 Unit/site # Street # and street name	Van City	ncouver		BC Province	V6B 1C9 Postal Code
Landlord(s) (Respondent(s): The other parties additional space is required to list all parties, use Hotel Bourbon Last name or full legal business name	the second contract the second contract to th	T. S. J 1 of The Co		#RTB-26.	
Last name (if more than one landlord, also use form #R	 TB-26)	First and mide	dle names		
Respondent Address (address for service of doc.	-	es – where materia	al will be giver	personally, left	for, faxed, or maile
102 30 West Cordon Stre	et Van	couver		BC	V6B 1C9
Unit/site # Street # and street name	City			Province	Postal Code
	hone number			ber for docun	
Yes, a Schedule of Parties (#RTB-26) is being us Yes, the Mailing Address is different from the F				dication and i	t is attached.
TO FILE THIS APPLICATION: 1. On this page, fill in the information boxes.		. A star of days		RESIDENTIAL BURI	TENANCY BRANCH VABY, B.C.
 2. On page 2, check the boxes that apply to your request, 3. Submit your application in-person at: RTB Burnaby: 400 - 5021 Kingsway Avenue F 	RTB Kelowna: :	101–2141 Springf	ield Road		2 3 2008
· Applications may also be submitted online at www.rto.gov.i	bc.ca.	-Government Age	•	REC	EIVED 5
 Do not give a copy of your Application to the Responder accepts it and you have paid the application fee or obtai 			y Branch	RTB use only date stamp &	initial

Office of Housing and Construction Standards

Residential Tenancy Branch

Lower Mainland: 604-660-1020 Victoria: 250-387-1602 Elsewhere in BC: 1-800-665-8779

Website: www.rto.gov.bc.ca

#RTB-12-T (2007/10)



Tenant's Application for Dispute Resolution

	For RTB use only: File #	728187 Page 2
Nature of the Dispute	,	
More time needed for application pro Allow a tenant more time to make a Date the Notice to End Tenancy wa	an application to cancel a Notice to End Tena.	ncy De. C. I. V. JCE. MT
Dispute an additional rent increase Dispute an additional rent increase		DRI
Cancel a Notice to End Tenancy issued		CNO
	ed housinghas ended	
	the 'Details of the Dispute' box below)	
	ufactured home park to another use	
-		CNR
Monetary Order for the following reason:		MNR
Money owed or compensation for de	amage or loss under the Act, regulation or tenan	ncy agreement MNDC
The request for a Monetary Orde	deposit or security depositer is for the following amount:	
Provide a detailed calculation of the	amount in the 'Details of the Dispute' box-b	elow. \$
Landlord's action sought		
	ate section in the 'Details of the Dispute' box	
	or safety reasons	
	pertyd by law (state Act and section in the 'Detail:	
	tyndlord's right to enter the rental unit	
Tenant's action sought		
	e rental unit or siter site for the tenant's guests	
Authorize a tenant to change the lo	cks to the rental unit	LAT
	ecause the landlord's permission has been unreas pairs, services or facilities agreed upon but n	
Other	painty services or racinates agreed aport bacts	oc provided minimit itt
	for the cost of this application	
	lifferent way than required by the Act s of the Dispute' box below)	
Details of the Dispute	,	
In two or three sentences, describe the issue. In		
what, where and when the issue arose or the eve Order, include a detailed calculation. Attach a se		
s.22 Alfred Dayone at Ilsen	though he said I could	of pay in
s.22'ree attenhed léfused payment, luen ful, the next day.		, y
s.22 Signature:	Date: <u>Nec. 22</u> 2008	
Print name		
		_

The personal information recorded on this form is collected under the authority of s. 59 Residential Tenancy Act and s. 52 Manufactured Home Park Tenancy Act for the purpose of administering the Acts. The information may be disclosed to the public in accordance with the Freedom of Information and Protection of Privacy Act. Questions about the collection of this Information may be directed to an Information Officer:

Lower Mainland 604-660-1020 Victoria 387-1602 Elsewhere in B.C. 1-800-665-8779

Burnaby File No. 733765 Decision Date: 2009-06-25

In the matter of the Residential Tenancy Act, SBC 2002, c. 78., as amended

Between

s.22

Tenant(s),

Applicant(s)

And

Glen Miller, Bourbon Hotel, Landlord(s),

Respondent(s)

Re: An application pursuant to sections 49, 62, 65, of the *Residential Tenancy Act* regarding the premises at:

5.22 50 West Cordova St., Vancouver, British Columbia

Date of hearing: June 25, 2009, by conference call.

ORDER

I AUTHORIZE AND COMMAND YOU, s.22 Tenant(s) to deliver full and peaceable vacant possession and occupation of the above noted rental unit to Glen Miller, Bourbon Hotel, Landlord(s) on or before 1:00 p.m. on June 28, 2009.

Dated June 25, 2009.

R. Lanon

burnaby File No. 733765 Decision Date: 2009-06-25

In the matter of the Residential Tenancy Act, SBC 2002, c. 78., as amended

between

s.22 Tenant(s),

Applicant(s)

and

Glen Miller, Bourbon Hotel, Landlord(s),

Respondent(s)

Re: An application pursuant to sections 49, 62, 65, of the *Residential Tenancy Act* regarding the rental unit at:

s.22 50 West Cordova St., Vancouver, British Columbia

Date of hearing: June 25, 2009, by conference call.

Appearances: s.2

Glen Miller, for the landlord

DECISION AND REASONS

This hearing was convened in response to an application by the tenant to cancel a Notice to End Tenancy for Unpaid Rent, for the Landlord to comply with the Act, and for the return of the tenant's personal property. Both parties appeared in the conference call and participated in the hearing. In the hearing the landlord verbally requested an Order of Possession.

During the course of the hearing, the parties reached an agreement to settle these matters, on the following conditions:

- 1. the tenant will vacate the rental unit on June 28, 2009 and the tenancy will end.
- 2. the tenant will receive an Order of Possession effective June 28, 2009.
- 3. if the tenant does not move on June 28, 2009 the landlord will serve an order of possession on the tenant, and the tenancy will end.

I grant the landlord an Order of Possession, effective June 28, 2009. If the landlord serves the order of possession on the tenant and the tenant fails to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

Dated June 25, 2009.

R. Lanon

Tenant's Application for Dispute Resolution

This application is being made under the <i>Manufactur</i> This application is being made under the <i>Residential</i>	red Home Park Tenand	•		21 W S
Tenant(s) (Applicant(s): The person asking for If additional space is required to list all parties, use and	dispute resolution)	arties", form #	RTB-26.	
Last name s.22	First and mid	ddle names _	- 100	
Applicant Address (address for service of documents or	rnotices – where material		sonally, left for, fa	exed, or mailed)
onitysite # Street # and street name C	асу		Frovince	rustai Cuue
Daytime phone number Other phone Yes, a Schedule of Parties (#RTB-26) is being used to Yes, the Mailing Address is different from the Appli	o add more Applicants	s to this applica	per for documention and it is	
Dispute Address (address of the rental unit of Size # Street # and street name	or manufactured hom Vancouver City	***************************************	BC Province	VBB-1C9
Landlord(s) (Respondent(s): The other party to If additional space is required to list all parties, use and		arties", form ∄	RTB-26,	
Last name or full legal business name BOURBON HOLG Last name (if more than one landlord, also use form #RTB-26		iddle names		
Respondent Address (address for service of document FROM OFFICE 30 West CORDOVA St.		erial will be given	personally, left for	163-109
Unit/site # / Street # and street name bo4. bs7-5427 Daytime phone number Other phone		Fax numl	per for docume	Postal Code ent service
Yes, a Schedule of Parties (#RTB-26) is being used to Yes, the Mailing Address is different from the Resp		it is attached.		
	Kelowna: 101–2141 Spri Service BC–Government	ngfield Road	ESIDENTIAL TENA BURNABY MAY 1 9	2009
 Do not give a copy of your Application to the Respondent(s) accepts it and you have paid the application fee or obtained a 	until the Residential Ten	ancy Branch	RECE RTB use only date stamp & ir	

Office of Housing and Construction Standards

Residential Tenancy Branch

Lower Mainland: 604-660-1020 Victoria: 250-387-1602 Elsewhere in BC: 1-800-665-8779

Website: www.rto.gov.bc.ca #RTB-12-T (2007/10)



Tenant's Application	for Dispute Resolution
E D.T.D L Ett //	7337/2 Page 2

Nature of the Dispute
More time needed for application process Allow a tenant more time to make an application to cancel a Notice to End Tenancy
Dispute an additional rent increase Dispute an additional rent increase
Cancel a Notice to End Tenancy issued for the following reason: Tenant does not qualify for subsidized housing
Monetary Order for the following reason: Cost of emergency repairs
Landlord's action sought Comply with the Act, regulation (state section in the 'Details of the Dispute' box below), or tenancy agreement (provide a copy) Make emergency repairs for health or safety reasons ERP Make repairs to the unit, site or property Provide services or facilities required by law (state Act and section in the 'Details of the Dispute' box below) Return the tenant's personal property Suspend or set conditions on the landlord's right to enter the rental unit LRE
Tenant's action sought Obtain an Order of Possession of the rental unit or site
Serve documents or evidence in a different way than required by the Act
Details of the Dispute
In two or three sentences, describe the issue. Include any dates, times, people or other information that says who, what, where and when the issue arose or the event occurred. When the dispute includes a request for a Monetary Order, include a detailed calculation. Attach a separate sheet if necessary. Any additional sheets must be signed.
I didnit pay my rent on the may 1st, I wrote a letter to Olen miller may 1th a polar izing and lettern hum know on may 27th I would pay may the bune to rents. He has looked me oct of my room May 19th.
Signature: Date: Way 19, 2009.
Print name

The personal information recorded on this form is collected under the authority of s. 59 Residential Tenancy Act and s. 52 Manufactured Home Park Tenancy Act for the purpose of administering the Acts. The information may be disclosed to the public in accordance with the Freedom of Information and Protection of Privacy Act. Questions about the collection of this information may be directed to an Information Officer:

Lower Mainland 604-660-1020 Victoria 387-1602 Elsewhere in B.C. 1-800-665-8779 HOU-2011-00031



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Digute Resolution Servicas

Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

Burnaby File No. 733761 Decision Date: 2009-06-04

In the matter of the Residential Tenancy Act, SBC 2002, c. 78., as amended

between

s.22 Tenant,

Applicant

And

BOURBON HOTEL, Landlord,

Respondent

Re: An application pursuant to sections 47, 67 of the *Residential Tenancy Act* regarding the rental unit at:

Unit s.22 50 West Cordova Street, Vancouver, British Columbia

Date of hearing: June 04, 2009, by conference call.

Appearances:

For the Landlord: Paul Roberts, Agent

For the Tenant: No one



Diraute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

DECISION AND REASONS

Dispute Codes:

CNC, MNDC

Introduction

This hearing dealt with an application by the tenant for an order to cancel the notice to end tenancy for cause, pursuant to Section 47 of the *Residential Tenancy Act*. The tenant also applied for a monetary order for compensation for loss under the *Act*.

The tenant who is the applicant did not attend the hearing. The landlord attended the hearing and was given full opportunity to present evidence and make submissions. On the basis of the solemnly affirmed evidence presented at the hearing, a decision has been reached.

Issues

Is the landlord entitled to an order of possession?

Background and Evidence

The landlord served the tenant with a notice to end tenancy for cause on April 20, 2009 with an effective date of June 01, 2009. The landlord stated that it appears that the tenant is no longer living in the unit, but has not removed his belongings. The landlord requested for an order of possession.

The conference call line was held open for ten minutes, but the applicant failed to appear.

Analysis

The tenant applied to cancel the notice to end tenancy, but did not attend the hearing. In the absence of the tenant's testimony to cancel the notice, the notice to end tenancy is upheld and the tenant's application to cancel the notice to end tenancy is dismissed.

During the hearing the landlord made a request under section 55 of the legislation for an order of possession. Under the provisions of section 55(1), upon the request of a landlord, I must issue an order of possession when I have upheld a notice to end tenancy. Accordingly, I so order.

The tenant must be served with the order of possession. Should the tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

Conclusion

The notice to end tenancy is upheld and the tenant's application to cancel the notice to end tenancy and for compensation, is dismissed. The landlord is granted an order of possession effective two days after service on the tenant.

Dated June 04, 2009.

E. Nazareth

Burnaby File No. 733761 Decision Date: 2009-06-04

Tenant,

In the matter of the Residential Tenancy Act, SBC 2002, c. 78., as amended

Between

s.22

Applicant

And

BOURBON HOTEL, Landlord,

Respondent

Re: An application pursuant to sections 47, 67 of the *Residential Tenancy Act* regarding the rental unit at:

Unit^{s.22} 50 West Cordova Street, Vancouver, British Columbia

Date of hearing: June 04, 2009, by conference call.

ORDER

I AUTHORIZE AND COMMAND YOU, s.22

Tenant to

deliver full and peaceable vacant possession and occupation of the above noted rental unit to, **BOURBON HOTEL**, Landlord not later than **two (2) days** after service of this order upon you.

Dated June 04, 2009.

E. Nazaretn

Tenant's Application for Dispute Resolution

This application is being made under the <i>Manufactured Hor</i> This application is being made under the <i>Residential Tenan</i>		#{>>/0}
Tenant(s) (Applicant(s): The person asking for disput If additional space is required to list all parties, use and attach s.22	ere in the community of the contract of the co	#RTB-26,
Last name	First and middle names	
Last name	First and middle names	
Applicant Address (address for service of documents or notices s.22	– where material will be given per	rsonally, left for, faxed, or mailed)
Unit/site # Street # and street name City s.22		Province Postal Code
Daytime phone number Other phone numb	er Fax num	 ber for document service
Yes, a Schedule of Parties (#RTB-26) is being used to add reso, the Mailing Address is different from the Applicant Ad	more Applicants to this applic	
Dispute Address (address of the rental unit or man	ufactured home site)	
50 West Cordova & Vest Va	ncouver	BC V6B 1C9
Unit/site # Street # and street name Cit	ty	Province Postal Code
Landlord(s) (Respondent(s): The other party to the of If additional space is required to list all parties, use and attach		#RTB-26.
Bourbon Hotel		
Last name or full legal business name	First and middle names	
Last name (if more than one landlord, also use form #RTB-26)	First and middle names	
Respondent Address (address for service of documents or not		
041000	couver	BC V6B 1C9
Unit/site # Street # and street name City	·	Province Postal Code
Daytime phone number Other phone number	er Fax num	ber for document service
Yes, a Schedule of Parties (#RTB-26) is being used to add r Yes, the Mailing Address is different from the Respondent		olication and it is attached.
	: 101–2141 Springfield Road BC-Government Agents Office	ESIDENTIAL TENANCY BRANCH BURNABY, B.C. APR 3 0 2009 RTRECENVED date stamp & initial

Office of Housing and Construction Standards

Residential Tenancy Branch

Lower Mainland: 604-660-1020 Victoria: 250-387-1602 Elsewhere in BC: 1-800-665-8779

Website: www.rto.gov.bc.ca



Tenant's	Application	for	Dispute	Resolution
i Chant 3	Application	101	DISPUL	ISCACIATION

Nature	of t	he D	ispute
--------	------	------	--------

More time needed for appl	ication process me to make an application to cancel a Notice to End Tenancy	MT
Date the Notice to End	Tenancy was received:	
Dispute an additional rent	increase ent increase	DDI
- ·	nancy issued for the following reason:	DKI
	for subsidized housing	CNQ
	with landlord has ended	
	of the Act in the 'Details of the Dispute' box below)	
	convert manufactured home park to another use	
	property	
Monetary Order for the follow		Ollic
— ·	airs	MNR
	nsation for damage or loss under the Act, regulation or tenancy agreement	
	pet damage deposit or security deposit	MNSD
	netary Order is for the following amount: Justion of the amount in the 'Details of the Dispute' box below.	
Landlord's action sought	diation of the amount in the Details of the Dispute box below.	
-	egulation (state section in the 'Details of the Dispute' box below), or tenar	ncv
	Dy)	
	rs for health or safety reasons	
	t, site or property	
homeont .	lities required by law (state Act and section in the 'Details of the Dispute'	
<u> </u>	sonal property	
<u> </u>	ons on the landlord's right to enter the rental unit	
Tenant's action sought		
	session of the rental unit or site	
	n) the unit or site for the tenant or the tenant's guests	
	hange the locks to the rental unit	
	e rent for repairs, services or facilities agreed upon but not provided	
Other		
Recover filing fee from	the landlord for the cost of this application	FF
	idence in a different way than required by the Act	
Other (provide details i	n the 'Details of the Dispute' box below)	0
Details of the Dispute		
	he issue. Include any dates, times, people or other information that says	
	se or the event occurred. When the dispute includes a request for a Mone Attach a separate sheet if necessary. Any additional sheets must be sig	
	ired by legislation. Tenant is also disputing cause. Tenant is also seeking	Ticu.
compensation for loss of peaceful enjo		
	,	
2 22		
s.22 Signature:	Date: 30 APR 2009	
s.22		
Print name:		

Burnaby File No. 728404 Decision Date: 2008-12-17

In the matter of the Residential Tenancy Act, SBC 2002, c. 78., as amended

between

s.22 Tenant(s),

Applicant(s)

and

HILDON HOTEL, Landlord(s),

Respondent(s)

Re: An application pursuant to section 47 of the *Residential Tenancy Act* regarding the rental unit at:

s.22 50 W CORDOVA STREET, VANCOUVER, British Columbia

Date of hearing: December 17, 2008, by conference call.

DECISION AND REASONS

Appearances:

For the applicant: ABSENT

For the respondent: PAUL ROBERTS

No hearing was held because even though I waited until well past the time at which the hearing was to start, the applicant did not join the conference call that was set up for the hearing.

I therefore dismiss this application without leave to re-apply.

At the request of the landlord an order of possession has been issued for 12:00 noon on December 20, 2008.

Dated December 17, 2008.

J. C. WAKEFIELD C.Arb. Dispute Resolution Officer

Burnaby File No. 728404 Decision Date: 2008-12-17

In the matter of the Residential Tenancy Act, SBC 2002, c. 78., as amended

	Between	
s.22	Tenant(s),	Analisanta
	And	Applicant(s)

HILDON HOTEL, Landlord(s),

Respondent(s)

Re: An application pursuant to section 47 of the *Residential Tenancy Act* regarding the rental unit at:

5.22 50 W CORDOVA STREET, VANCOUVER, British Columbia

Date of hearing: December 17, 2008, by conference call.

ORDER

I do hereby Order that the tenant(s) deliver full and peaceable vacant possession and occupation of the said residential premises to the landlord(s), at 12:00 noon on December 20, 2008.

THIS ORDER MUST BE SERVED ON THE TENANT(S).

Dated December 17, 2008.

J. C. WAKEFIELD C.Arb. Dispute Resolution Officer

Tenant's Application for Dispute Resolution

			For RTB use	only: File	# 7284	04
This application is being made und	er the <i>Manufact</i>	ured Home	e Park Tenancy	Act		
▼ This application is being made under	er the <i>Residenti</i>	ial Tenancy	/ Act			
Tenant(s) (Applicant(s): The p If additional space is required to list al s.22				tles", form	#RTB-26.	
				la		
Last name			First and middl	ie names		
Last name			First and middl	e names		
Applicant Address (address for ser s.22	vice of documents	or notices –			ersonally, left for	, faxed, or mailed)
Unit/site # Street # and street n s.22	ame	City			Province	Postal Code
Daytime phone number	Other pho	ne number		Fax nun	nber for docu	ment service
Yes, a Schedule of Parties (#RTB-2 Yes, the Mailing Address is differen	, -				cation and it	is attached.
Dispute Address (address o	f the rental unit	t or manu	factured home	site)		
50 W. Cordova street		Vand	couver		ВС	V6B 1C9
Unit/site # Street # and street r	name	City			Provinc	e Postal Code
Landlord(s) (Respondent(s): If additional space is required to list al	at white the state of the state of the state of the	Company of the state of	ranka in the comment of the second of the	ties", form	#RTB-26.	
Hildon Hotel Last name or full legal business name			First and mide	dla namas	***************************************	
Miller			Glen	ale Halfies		
Last name (if more than one landlord, als	o use form #RTB-	·26)	First and mide	ile names		
Respondent Address (address fo		-			n personally, lef	t for, faxed, or maile
50 W. Cordova		Vanco			ВС	V6B 1C9
Unit/site # Street # and street r	name	City	<u></u>		Province	Postal Code
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Yes, a Schedule of Parties (#RTB-2 Yes, the Mailing Address is differen						it is attached.
1. On this page, fill in the information boxes 2. On page 2, check the boxes that apply to 3. Submit your application in-person at:	your request, pro			oottom.	ESIDENTIAL TEN BURNAB	Y, B.C.
 RTB Burnaby: 400 – 5021 Kingsway Av RTB Victoria: 1st floor, 1019 Wharf Stre Applications may also be submitted online Do not give a copy of your Application to accepts it and you have paid the application 	et • Any e at <u>www.rlo.gov.bc.c</u> the Respondent(s	Service BC <u>a</u> ,) until the R		ents Office	RECEI	VED 28

Office of Housing and Construction Standards

Residential Tenancy Branch

Lower Mainland: 604-660-1020 Victoria: 250-387-1602 Elsewhere in BC: 1-800-665-8779

Website: www.rto.gov.bc.ca



Tenant's Application	for	Dispute	Resolution
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Page 2 For RTB use only: File #_ 728404 **Nature of the Dispute** More time needed for application process Date the Notice to End Tenancy was received: インイズ Dispute an additional rent increase Cancel a Notice to End Tenancy issued for the following reason: Monetary Order for the following reason: Cost of emergency repairs MNR Money owed or compensation for damage or loss under the Act, regulation or tenancy agreement MNDC The request for a Monetary Order is for the following amount: Provide a detailed calculation of the amount in the 'Details of the Dispute' box below. Landlord's action sought Comply with the Act, regulation (state section in the 'Details of the Dispute' box below), or tenancy agreement (provide a copy)OLC Make emergency repairs for health or safety reasons ERP Make repairs to the unit, site or propertyRP Provide services or facilities required by law (state Act and section in the 'Details of the Dispute' Suspend or set conditions on the landlord's right to enter the rental unitLRE Tenant's action sought Authorize a tenant to change the locks to the rental unitLAT Allow a tenant to assign or sublet because the landlord's permission has been unreasonably withheld AS Allow a tenant to reduce rent for repairs, services or facilities agreed upon but not provided RR Other Recover filing fee from the landlord for the cost of this application FF **Details of the Dispute** In two or three sentences, describe the issue. Include any dates, times, people or other information that says who, what, where and when the issue arose or the event occurred. When the dispute includes a request for a Monetary Order, include a detailed calculation. Attach a separate sheet if necessary. Any additional sheets must be signed. Glen Miller, the manager of the Hildon Hotel, gave me an eviction notice. One week later, he told me to rip the notice up, because I could stay. For this reason, I didn't feel that it was necessary to file for dispute resolution, until he came up to my room a few days ago and told me I had to leave by December 1st. Mr. Miller has also cashed my rent check for the month of December. I am requesting an extension on time to apply and that the notice to end tenancy be set aside for the above reasons. -s.22 Signature

The personal information recorded on this form is collected under the authority of s. 59 Residential Tenancy Act and s. 52 Manufactured Home Park Tenancy Act for the purpose of administering the Acts. The information may be disclosed to the public in accordance with the Freedom of Information and Protection of Privacy Act. Questions about the collection of this information may be directed to an Information Officer: Lower Mainland 604-660-1020 Victoria 387-1602 Elsewhere in B.C. 1-800-665-8779 HOU-2011-00031

Burnaby File No. 725796 Decision Date: 2008-11-12

In the matter of the Residential Tenancy Act, S.B.C. 2002, c. 78.

between

The Hildon Hotel, Landlord(s),

Applicant(s)

and

s.22

Tenant(s),

Respondent(s)

Re: An application pursuant to sections 67 55 38 of the *Residential Tenancy Act* regarding the premises at:

50 West Cordova Street, Vancouver, British Columbia

Date of hearing: November 12, 2008, by conference call.

DECISION AND REASONS

This application is dismissed with leave to reapply because neither party attend the hearing by 11:15 a.m. November 12^{th} , 2008.

Dated November 12, 2008.

Suzanne Jackson

Landlord's Application for Dispute Resolution

			ļ	For RT	B use only	: File #	7	523	7 k	<u></u>
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This application is being	g made under	tne <i>kesiaent</i>	iai i	enancy	ACT					
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The Hildon Hotel	<u> </u>									
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Last name (if more than one l				.,	First and m			"	,	
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	# and street n	ame		City				Province	, t	Postal Code
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Yes, the Mailing Addre	ss is different	from the Ap	plica	ant Addi	ess, and it is	attached	1.			
Dispute Address	(address of th	e rental unit	or r	nanufac	tured home s	site)				
50 West	Cordova メヤマ	टिंग		vancou	ver			ВС		V6B 1C9
Unit/site # Street #	and street na	ame	,	City				Province	, ,	Postal Code
Tenant(s) (Responde	nt(s): The oth	er party to t	he d	ispute)		<u></u>				
If additional space is requir	and the state of t			-	chedule of Pa	arties", fo	rm #f	RTB-26.	,1	
s.22										
Last name					Firs': and mid	ldle name	es			
Last name					First and mid	ldle name	es			
Respondent Address	(address for se	rvice of docum	ents	or notice	s – where mate	erial will be	aiven p	ersonallv, left	for,	faxed, or mail
Unit/site # Street # a	nd street nam	e	C	ity				Province		Postal Code
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Yes, a Schedule of Partic								cation and i	t is	attached.
TO FILE THIS APPLICA	TION						[
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2. On page 2, check the boxes		ur request, pro	ovide	e details	and sign at the	e bottom.				
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Applications may also be submDo not give a copy of your App					ntial Tenancy B	ranch acce	pts R	TB use only -	- da	ite stamp &

Office of Housing and Construction Standards

it and you have paid the application fee or obtained a fee waiver.

Residential Tenancy Branch

Lower Mainland: 604-660-1020 Victoria: 250-387-1602 Elsewhere in BC: 1-800-665-8779

Website: www.rto.gov.bc.ca



initial

Landlord's Application for Dispute Resolution

For RTB use only: File # 725

Nature of the Dispute

Ending tenancy, and seeking an Order of Possession:
Notice to End Tenancy
When the dispute involves a <i>Notice to End Tenancy</i> , the <i>Notice to End Tenancy</i> must be given to the tenant before applying for Dispute Resolution and the <i>Notice to End Tenancy</i> must be submitted to the Residential Tenancy Branch.
Date the Notice to End Tenancy referred to in this Application was served: August 20 2008
How was it served? By Haus
Reason for ending tenancy: Employment with landlord has ended OPE The tenant has not paid rent or utilities OPR The landlord wants the unit or property for another use OPL The landlord has cause, as described in the Act, regulation (state section in the 'Details of the Dispute' box below), or tenancy agreement (provide a copy) OPC The tenant does not qualify for subsidized housing OPQ The tenant has breached an agreement with the landlord (provide a copy of agreement) OPB Monetary Order: MND For damage to the unit, site or property MND For unpaid rent or utilities MNSD To keep all or part of pet damage deposit or security deposit MNSD For money owed or compensation for damage or loss under the Act, regulation or tenancy agreement MNDC The request for a Monetary Order is for the following amount: Provide a detailed calculation of the amount in the 'Details of the Dispute' box below. Story
Other (provide details in the 'Details of the Dispute' box below)
In two or three sentences, describe the issue. Include any dates, times, people or other information that says who, what, where and when the issue arose or the event occurred. When you are asking for a Monetary Order, include a detailed calculation. Attach a separate sheet if necessary. Any additional sheets must be signed.
has been given 3 letters notifying s.22 of late rent on various occasions and 6 notices to end tenancy. The last peing on August 20 2008 for an October 1 2008 eviction. As of October 7 has still not left the unit. We wish to have s.22 eviction enforced.
Signature: Paul Roberts Date: October 7 2008
Print name:

urnaby File No. 708646 Decision Date: 2008-01-09

In the matter of the Residential Tenancy Act, SBC 2002, c. 78.

between

s.22 Tenant(s),

Applicant(s)

and

HOTEL BOURBON AND C. HORVAT, Landlord(s),

Respondent(s)

Re: An application pursuant to sections 47 and 55 of the *Residential Tenancy Act* regarding the premises at:

56 West Cordova St., Vancouver, British Columbia

Date of hearing: January 09, 2008, by conference call.

DECISION AND REASONS

ATTENDANCE: No one attended

Pursuant to the Residential Tenancy Act, R.S.B.C. and amendments thereto I was designated to hear this matter under section 58. This hearing dealt with an application pursuant to the *Residential Tenancy Act* SBC 1996 ("the *Act*") in respect of the above-noted tenancy and was set for 11:00 a.m on January 9, 2008. By 11:15a.m., no one had attended the conference call.

Rule 10.1 of the Rules of Procedure provides as follows:

10.1 Commencement of the hearing The hearing must commence at the scheduled time unless otherwise decided by the arbitrator. The arbitrator may conduct the hearing in the absence of a party and may make a decision or dismiss the application, with or without leave to reapply.

Accordingly, in the absence of any evidence or submissions I order the application dismissed with liberty to reapply. I make no findings on the merits of the matter. Liberty to reapply is not an extension of any applicable limitation period

Dated January 09, 2008.

M. BRUCE

Tenant's Application for Dispute Resolution For RTB use only: File # 708 646

	on is being made under the			•	Act		
	(Applicant(s): The person e is required to list all part				ies", form a	#RTB-26.	
Last name s.22				First and middle	e names		
Last name				First and middle	e names		
Applicant Ad s.22	dress (address for service of	f documents or	notices – v	where material will	be given per	sonally, left fo	or, faxed, or mailed)
	Street # and street name	Ci	ty			Province	Postal Code
s.22	1					7	
Daytime phone n	umber	Other phone	number		Fax num	ber for doc	ıment service
L	le of Parties (#RTB-26) is l ng Address is different fro	_		• •		ation and it	is attached.
	dress (address of the	rental unit o	r manufa	actured home s	site)		
s.22	56 West Cordova St.		Vance	ouver		ВС	V6B 1C9
Unit/site #	Street # and street name		City		, , , , , , , , , , , , , , , , , , , ,	Provin	ce Postal Code
If additional space) (Respondent(s): The o			chedule of Part		#RTB-26.	
	legal business name		 7 1	First and midd	le names	<u>.</u>	
Hotel Bourbon - C.							
•	e than one landlord, also use t			First and midd			
s 22	Address (address for services	ce of documents			i will be given		
L	50 West Cordova St		Vancou	ver		BC	V6B 1C9
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Office of Housing and Construction Standards

Residential Tenancy Branch

Lower Mainland: 604-660-1020 Victoria: 250-387-1602 Elsewhere in BC: 1-800-665-8779

Website: www.rto.gov.bc.ca



Tenant's	Application	for Dis	nute F	Resolution
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For RTB use only: File # 708640 Page 2

Nature of the Dispute	TO KIB use only. The #	D & 1 P
More time needed for application process Allow a tenant more time to make an application pate the Notice to End Tenancy was received.	cation to cancel a <i>Notice to End Tenancy</i>	
Dispute an additional rent increase Dispute an additional rent increase		
Cancel a Notice to End Tenancy issued for the Tenant does not qualify for subsidized hous Tenant's employment with landlord has end Cause (state provision of the Act in the 'Del Landlord's intention to convert manufacture Landlord's use of rental property Unpaid rent or utilities	ingingingiediediedied sails of the Dispute' box below)ied home park to another use	CNE CNC CNLC
Monetary Order for the following reason: Cost of emergency repairs Money owed or compensation for damage of the compensation for damage of the request for a Monetary Order is for Provide a detailed calculation of the amount	or loss under the Act, regulation or tenancy agree	MNR ement MNDC MNSD
Landlord's action sought Comply with the Act, regulation (state section agreement (provide a copy) Make emergency repairs for health or safet: Make repairs to the unit, site or property Provide services or facilities required by law box below) Return the tenant's personal property Suspend or set conditions on the landlord's	y reasons (state Act and section in the 'Details of the	OLC ERP RP Dispute' PSF
Tenant's action sought Obtain an Order of Possession of the rental Allow access to (or from) the unit or site for Authorize a tenant to change the locks to th Allow a tenant to assign or sublet because th Allow a tenant to reduce rent for repairs, see Other Recover filing fee from the landlord for the Serve documents or evidence in a different	the tenant or the tenant's guests ne rental unit	AAT LAT withheld AS rided RR
Other (provide details in the 'Details of the Details of the Dispute	• •	
In two or three sentences, describe the issue. Include an what, where and when the issue arose or the event occur Order, include a detailed calculation. Attach a separate s	red. When the dispute includes a request for	or a Monetary
The landlord gave the Notice to me in the third week of Nov on the 1st of December. This is not legal.	ember. He did not date the Notice, and told n	ne I had to be out
He also provided no evidence as to why he was evicting me they are.	e. I am not able to refute the allegations, as I o	do not know what
s.22 Signature:	Date: Dec. 6/07	
Print name: Ken Poitras		

The personal information recorded on this form is collected under the authority of s. 59 Residential Tenancy Act and s. 52 Manufactured Home
Park Tenancy Act for the purpose of administering the Acts. The information may be disclosed to the public in accordance with the
Freedom of Information and Protection of Privacy Act. Questions about the collection of this information may be directed to an Information Officer:
Lower Mainland 604-660-1020 Victoria 387-1602 Elsewhere in B.C. 1-800-665-8779

Victoria File No. 725797 Decision Date: 2008-11-13

In the matter of the Residential Tenancy Act, SBC 2002, c. 78.

between

THE HILDON HOTEL, Landlord(s),

Applicant(s)

and

s.22

Tenant(s),

Respondent(s)

Re: An application pursuant to sections 55 and 67 of the *Residential Tenancy Act* regarding the premises at:

- 50 West Cordova Street, VANCOUVER, British Columbia

Date of hearing: November 12, 2008, by conference call.

DECISION AND REASONS

The landlord applied for an Order for Possession and a Monetary Order for unpaid rent.

I have dismissed this application, with leave to reapply, because neither of the parties participated in the conference call hearing.

There is no order for costs.

As no further action is required the file will be closed accordingly.

Dated November 13, 2008.

A. LAFLEUR

Arbitrator

Landlord's Application for Dispute Resolution

			For RTB use on	ly: File #	72	57	97
This application	n is being made under t				,		
This application	n is being made under t	he <i>Residential</i>	Tenancy Act				
	(Applicant(s): The perior is required to list all pa				#RTB	-26.	
The Hildon Hotel	. 10 . squit du to not un pu	. croop about and		1 41 (100) 101111	,,,,,,		<u></u>
Last name or the f	full legal business name		First and	middle names			
•	than one landlord, also use f	-		middle names			
102	Iress (address for service 50 West Cordova ≲tvet		otices – where mater Vancouver	ial will be given pe	ersonali BC		ved, or mailed) V6B 1C9
Unit/site #	Street # and street na	me	City		_	rovince	Postal Code
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—	e of Parties (#RTB-26) is ig Address is different f	-			cation	and it is	attached.
Dispute Add	dress (address of the	rental unit or	manufactured hom	e site)	1 17 17 1		
s.22	50 West Cordova ≲n .∈€		Vancouver		В	С	V6B 1C9
Unit/site #	Street # and street na	me	City	at 118	L L	ovince	Postal Code
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2. On page 2, check t3. Submit your applicRTB Burnaby: 4	the information boxes. the boxes that apply to you ation in-person at: 00 – 5021 Kingsway Avenu floor, 1019 Wharf Street	ie • RTB K • Any S	e details and sign at elowna: 101–2141 S ervice BC-Governme	pringfield Road		ENTIAL TENA BURNABY, OCT 17	2008

Office of Housing and Construction Standards

Residential Tenancy Branch

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Website: www.rto.gov.bc.ca



Landlord's Application for Dispute Resolution

For RTB use only: File #_

Nature of the Dispute

s.22 wish

Ending tenancy, and seeking an Order of Possession:	
Notice to End Tenancy	
When the dispute involves a <i>Notice to End Tenancy</i> , the <i>Notice to End Tena</i> before applying for Dispute Resolution and the <i>Notice to End Tenancy</i> must Tenancy Branch.	t be submitted to the Residential
Date the Notice to End Tenancy referred to in this Application was served:	September 03 2008
How was it served? By Harro	
Reason for ending tenancy:	
 ☐ Employment with landlord has ended ☐ The tenant has not paid rent or utilities ☐ The landlord wants the unit or property for another use ☐ The landlord has cause, as described in the Act, regulation (state sect Dispute' box below), or tenancy agreement (provide a copy) ☐ The tenant does not qualify for subsidized housing ☐ The tenant has breached an agreement with the landlord (provide a copy) 	OPR
Monetary Order:	
For damage to the unit, site or property For unpaid rent or utilities To keep all or part of pet damage deposit or security deposit For money owed or compensation for damage or loss under the Act, regular request for a Monetary Order is for the following amout Provide a detailed calculation of the amount in the 'Details of the Disp	MNR MNSD wlation or tenancy agreement MNDC nt:
Other Recover filing fee from the tenant for the cost of this application Serve documents or evidence in a different way than required by the End Tenancy Early and obtain an Order of Possession Other (provide details in the 'Details of the Dispute' box below)	Act SS ET
Details of the Dispute	
In two or three sentences, describe the issue. Include any dates, times, people of what, where and when the issue arose or the event occurred. When you are aski detailed calculation. Attach a separate sheet if necessary. Any additional sheets	ng for a Monetary Order, include a
nas not paid rent and has not left the unit nor responded to the evictivish to enforce the notice issued.	ion notice as of October 7 2008. We
Signature: Date:	otober 7 2008

Victoria File No. 714700 Decision Date: 2008-05-22

In the matter of the Residential Tenancy Act, SBC 2002, c. 78., as amended

Between

s.22

Tenant(s),

Applicant(s)

And

0697418 B.C. Ltd., dba Hildon Hotel, Landlord(s),

Respondent(s)

Re: An application pursuant to sections 38 and 67 of the *Residential Tenancy Act* regarding the rental unit at:

s.22

50 W. Cordova Street, Vancouver, British Columbia

Date of hearing: May 22, 2008, by conference call.

ORDER

Having heard the evidence of the applicant and in the absence of any evidence from the respondent, who did not appear although duly served with the application and notice of hearing.

I HEREBY ORDER, pursuant to section 67 of the *Residential Tenancy Act.* the respondent **0697418 B.C. Ltd., dba Hildon Hotel,** to pay to the applicant^{s.22} the sum of **\$402.81**

Dated May 22, 2008.

E. Letain

víctoria File No. 714700 Decision Date: 2008-05-22

In the matter of the Residential Tenancy Act, SBC 2002, c. 78., as amended

between

s.22 Tenant(s),

Applicant(s)

and

0697418 B.C. Ltd., dba Hildon Hotel, Landlord(s),

Respondent(s)

Re: An application pursuant to sections 38 and 67 of the *Residential Tenancy Act* regarding the rental unit at:

50 W. Cordova Street, Vancouver, British Columbia

Date of hearing: May 22, 2008, by conference call.

Appearances:

s.22

DECISION AND REASONS

NATURE OF APPLICATION

1. This is an application by the Tenant for a monetary order for return of the security deposit. Although the Landlord was personally served with the Notice of Hearing and Application for Dispute Resolution on April 22, 2008, no one participated on its behalf.

ISSUE

2. Has there been a breach of Section 38 of the Residential Tenancy Act by the Landlord?

FACTS

3. The Tenant paid a security deposit of \$200.00 on June 15, 2007, and vacated the premises on January 10, 2008.

ANALYSIS

- 4. Section 38 of the Residential Tenancy Act states, in part:
 - (1) Except as provided in subsection (3) or (4)(a), within 15 days after the later of

(a) the date the tenancy ends, and

(b) the date the Landlord receives the Tenant's **forwarding address in writing**

the Landlord must do one of the following:

- (c) repay, as provided in subsection (8), any security deposit or pet damage deposit to the Tenant with interest calculated in accordance with the regulations; or
- (d) **make an application** for dispute resolution claiming against the security deposit or pet damage deposit.
- (5) The right of a Landlord to retain all or part of a security deposit or pet damage deposit under subsection 4(a) does not apply if the liability of the Tenant is in relation to damage and the Landlord's right to claim for damage against a security deposit or a pet damage deposit has been extinguished under section 24(2) [Landlord failure to meet start of tenancy condition report requirements] or 36(2) [Landlord failure to meet end of tenancy condition report requirements].
- (6) If a Landlord does not comply with subsection (1), the Landlord
 - (a) may not make a claim against the security deposit or any pet damage deposit, and
 - (b) must pay the Tenant double the amount of the security deposit, pet damage deposit, or both, as applicable.

[Emphasis added.]

- 5. Section 38(6)(b) declares that if I find in favour of the Tenant, I <u>must</u> order double the applicable deposit to be paid.
- 6. The Landlord did not do the written condition inspection reports required by section 24 and 36 of the Act. There was no evidence to show that the Tenant had agreed, in writing, that the Landlord could retain any portion of the security deposit, plus interest. There was also no evidence to show that the Landlord had applied for arbitration, within 15 days of the end of the tenancy or receipt of the forwarding address of the Tenant, to retain a portion of the security deposit, plus interest.
- 7. Section 67 of the Residential Tenancy Act states:

 Without limiting the general authority in section 62(3) [director's authority], if damage or loss results from a party not complying with this Act, the regulations or a tenancy agreement, the director may determine the amount of, and order that party to pay, compensation to the other party.

CONCLUSION

8. The Landlord has breached the Act. The Landlord is in the business of renting and therefore, has a duty to abide by the laws pertaining to Residential Tenancies.

- 9. I find that the Landlord is in breach of section 38 of the Act and is not entitled to retain any portion of the security deposit and interest. Having made the above findings, I must Order, pursuant to section 38 and 67 of the Act that the Landlord pay the Tenant the sum of \$402.81, comprised of double the security deposit and the interest on the original amount held (\$2.81).
- 10. The Tenant is given a formal Order in the above terms and the Landlord must be served with a copy of this Order as soon as possible. Should the Landlord fail to comply with this Order, the Order may be filed in the Small Claims division of the Provincial Court and enforced as an Order of that Court.

Dated May 22, 2008.

E. Letain

Tenant's Application for Dispute Resolution

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I not nome				Time and maid	الم سمسمم		
Last name				First and mide	ne names		
Last name				First and mide	llo namos		
	Address (address for ser	adoo of docum	anta av natiasa			onally loft for	found or mailed)
s.22	AUULESS TAONIESS IONSEI	vice or nocum	HEUIS UL UOIKES	where malerial w	mi ne aiven ners	ananv, leir kor	. iaxeo, ormalem
Unit/site #	Street # and street n	amo	City			Province	Postal Code
s.22	Street # and street in	anie	City			Province	Postal Code
Daytime phon	a numbor	Othor	phone number	•	Eav numb	or for docu	ment service
			•				
	edule of Parties (#RTB-2	-			• •	ition and it	is attached.
res, the M	ailing Address is differe	air itom the	Аррисант Афо	iless, and it is a	attacheu.		
Dispute A	Address (address of	the rental	unit or manu	factured home	site)		
5.22	50 W. Cordova Street		Vano	couver		ВС	V6B 1C9
Unit/site #	Street # and street n	name	City			Province	
			J.,				
	(S) (Respondent(s): 1						
	pace is required to list all	parties, us	e and attach	Schedule of Pai	ties", form #	RTB-26.	
0697418 B.C. L	td DBA Hildon Hotel						
Last name or	full legal business name			First and mid	dle names		
•	more than one landlord, also		•	First and mid			
Responder	1t Address (address for	service of doo	cuments or notice	es – where materi	al will be given p	personally, left	
	50 W. Cordova Street		Vancou	iver		ВС	V6B 1C9
Unit/site #	Street # and street n	ame	City			Province	Postal Code
604 687-	5427		ļ				
Daytime phone	e number	Other	phone number		Fax numb	er for docur	nent service
Yes, a Sche	edule of Parties (#RTB-26	5) is being u	sed to add mo	re Respondent	s to this appl	ication and	it is attached.
Yes, the Ma	ailing Address is differe	nt from the	Respondent A	ddress, and it i	s attached.		
TO FILE THI	S APPLICATION:				2	DENTIAL TENA!	ICY BRANCH
	fill in the information boxes.					BURNABY,	B,C.
	eck the boxes that apply to pplication in-person at:	your request,	, provide details	and sign at the l	oottom.		ξ
	/: 400 – 5021 Kingsway Ave	enue •	RTB Kelowna: 1	.01-2141 Spring	field Road	APR 22	Zuuo
 RTB Victoria: 	: 1st floor, 1019 Wharf Stree	et •		-Government Ag	ents Office 🏅	necei	WED .
	ay also be submitted online copy of your Application to t			esidential Tenano	cy Branch ,	RECE!	The state of the s
	you have paid the application					late stamp &	initial

Office of Housing and Construction Standards

Residential Tenancy Branch

Lower Mainland: 604-660-1020 Victoria: 250-387-1602 Elsewhere in BC: 1-800-665-8779

Website: www.rto.gov.bc.ca

#RTB-12-T (2007/10)



Tenant's Application for Dispute Resolution

714700 Page 2 For RTB use only: File #

Nature of the Dispute	177
More time needed for application process Allow a tenant more time to make an application to cancel a Notice to End Tenand Allow Date the Notice to End Tenancy was received:	
Dispute an additional rent increase Dispute an additional rent increase	DRI
Cancel a Notice to End Tenancy issued for the following reason: Tenant does not qualify for subsidized housing Tenant's employment with landlord has ended	
Monetary Order for the following reason: ☐ Cost of emergency repairs	cy agreement MNDCMNSD
Landlord's action sought Comply with the Act, regulation (state section in the 'Details of the Dispute' box agreement (provide a copy) Make emergency repairs for health or safety reasons Make repairs to the unit, site or property Provide services or facilities required by law (state Act and section in the 'Details box below) Return the tenant's personal property Suspend or set conditions on the landlord's right to enter the rental unit	OLC
Tenant's action sought Obtain an Order of Possession of the rental unit or site	AAT LAT onably withheld AS ot provided RR
Serve documents or evidence in a different way than required by the Act Other (provide details in the 'Details of the Dispute' box below)	
Details of the Dispute In two or three sentences, describe the issue. Include any dates, times, people or other inform what, where and when the issue arose or the event occurred. When the dispute includes a recorder, include a detailed calculation. Attach a separate sheet if necessary. Any additional sheeps	quest for a Monetary
Tenant moved into suite ^{s.22} at the Hildon Hotel in June of 2007, and was evicted on January 10, the Tenant supplied the landlord with ^{s.22} forwarding address in writing (delivered by hand), but the the damage deposit or make a claim with the Residential Tenancy Branch. In the letter of March 2 mistakenly requested a return of \$182.50 but records from the Ministry of Employment and Income the original damage deposit paid was \$200. Tenant makes a claim for \$400 - damage deposit plus	2008. On March 20, 2008 Landlord did not return 0, 2008 the Tenant e Assistance show that
Signature:	8
Print name:	

The personal information recorded on this form is collected under the authority of s. 59 Residential Tenancy Act and s. 52 Manufactured Home Park Tenancy Act for the purpose of administering the Acts. The information may be disclosed to the public in accordance with the Freedom of Information and Protection of Privacy Act. Questions about the collection of this information may be directed to an Information Officer:

Lower Mainland 604-660-1020 Victoria 387-1602 Elsewhere in B.C. 1-800-665-8779

Burnaby File No. 709991 Decision Date: 2008-02-28

In the matter of the Residential Tenancy Act, SBC 2002, c. 78., as amended

between

s.22

Tenant(s),

Applicant(s)

and

HILDON HOTEL, Landlord(s),

Respondent(s)

Re: An application pursuant to section 58 of the *Residential Tenancy Act* regarding the rental unit at:

50 W.Cordova St., Vancouver, British Columbia

Date of hearing: February 21, 2008, by conference call.

DECISION AND REASONS

I was designated to hear this matter under section 58. A conference call hearing was held on February 21, 2008. The applicant was represented by s.22 The respondent was represented by Paul Roberts.

The application is for the return of a deposit of \$158 plus an amount as double the deposit under section 38. The tenancy ended December 6, 2007. The parties agree that the applicant was evicted from the unit. The forwarding address was provided December 18, 2007. The respondent says that the deposit has not been returned because the respondent has a claim for damages against the applicant. The respondent has not filed a claim against the applicant.

The respondent has not taken the steps required by section 38 to retain the deposit. The claim for the return of the deposit is granted. In addition, section 38 provides that an amount as double the deposit must be paid. The order for \$316 is enclosed.

Dated February 28, 2008.

Mr. Coulson

Burnaby File No. 709991 Decision Date: 2008-02-28

In the matter of the Residential Tenancy Act, SBC 2002, c. 78., as amended

Between

s.22 Tenant(s),

Applicant(s)

And

HILDON HOTEL, Landlord(s),

Respondent(s)

Re: An application pursuant to section 58 of the *Residential Tenancy Act* regarding the premises at:

50 W.Cordova St., Vancouver, British Columbia

Date of hearing: February 21, 2008, by conference call.

ORDER

THIS MATTER having come before me for arbitration;

I ORDER that the Respondent(s) pay to the Applicant(s) the following amounts in satisfaction of this matter:

TOTAL

\$ 316.00

Dated February 28, 2008.

Mr. Coulson

Tenant's Application for Dispute Resolution

This application is being made under the Manufacture	
Tenant(s) (Applicant(s): The person asking for definitional space is required to list all parties, use and a	dispute resolution)
s.22	First and middle names
s.22	
Last name Applicant Address (address for sonice of degree or n	First and middle names notices - where material will be given personally, left for, faxed, or mailed)
s.22	iodices – where material will be given personally, terrior, taxed, or mailed)
Unit/site # Street # and street name / City	y Province Postal Code
	add more Applicants to this application and it is attached.
Yes, the Mailing Address is different from the Applica	int Address, and it is attached.
Dispute Address (address of the rental unit or	manufactured home site)
50 W. Cordova S	- Vancourer BC NoB 16
Unit/site # Street # and street name	City Province Postal Code
Landlord(s) (Respondent(s): The other party to	
If additional space is required to list all parties, use and a	ttach=Schedule-of-Parties-7-form=#RTB-26.
Last name or full legal business name	First and middle names
	Paulki
Last name (if more than one landlord, also use form #RTB-26)	First and middle names
	or notices – where material will be given personally, left for, faxed, or mailed
Unit/site # Street # and street name	City Province Postal Code
604 687-5427	
Daytime phone number Other phone n	number Fax number for document service
Yes, a Schedule of Parties (#RTB-26) is being used to a Yes, the Mailing Address is different from the Respon	add more Respondents to this application and it is attached. Ident Address, and it is attached.
TO FILE THIS APPLICATION: 1. On this page, fill in the information boxes. 2. On page 2, check the boxes that apply to your request, provide 3. Submit your application in-person at: • RTB Burnaby: 400 – 5021 Kingsway Avenue • RTB Kelo	e details and sign at the bottom. RESIDENTIAL TENANCY BRANCH BURNABY, B.C. Owna: 101–2141 Springfield Road JAN 0 8 2008
	vice BC-Government Agents Office til the Residential Tenancy Branch RECEIVED RECEIVED 5

Office of Housing and Construction Standards

Residential Tenancy Branch

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Website: www.rto.gov.bc.ca



			For RTB use onl	y: File #	709991	Page 2
Nature of the	Dispute			,		
More time need	ded for application tenant more time to ma Notice to End Tenancy	ke an application	to cancel a <i>Notice to</i>			MT
	l itional rent increas an additional rent increa			***************************************		. DRI
☐ Tenant d ☐ Tenant's ☐ Cause (s ☐ Landlord ☐ Landlord ☐ Unpaid n	to End Tenancy issisted in the second	sidized housing lord has ended It in the `Details o manufactured hor	f the Dispute' box bel ne park to another us	ow)e		. CNE . CNC . CNLC . CNL
Cost of e	r for the following reason mergency repairs wed or compensation for f all or part of pet dama uest for a Monetary Condetary Conde	or damage or loss age deposit or sec Order is for the 1	under the Act, regulation unity deposit	on or tenancy	agreement	. MNDC
agreeme Make em Make rep Provide s box belov Return th Suspend Tenant's action Allow acc Allow a to Allow a to Serve do	with the Act, regulation on the provide a copy)	property	co enter the rental unce and or the tenant's real unit correction has be or facilities agreed upon this application appropries on required by the A	guests en unreasona pon but not	f the Dispute'	OLC ERP RP PSF RPP LRE OPT AAT AS RR
Other (pr	ovide details in the 'Dei Dispute	tails of the Disput	e' box below)	***************************************	**********	. 0
In two or three sentend what, where and when Order, include a detaile	ces, describe the issue. the issue arose or the	event occurred. \ separate sheet if	When the dispute incl necessary. Any add	udes a reque	est for a Moneta	iry
s.22 Signature			Jan 7/09	8		
		Duto,		<u></u>		

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Print name